

National Collegiate Athletic Association

Special Convention

Proceedings



**4th Special Convention
December 3-4, 1981
St. Louis, Missouri**

Table of Contents

I. Register

Administrative Organization

Convention Delegates, Visitors and Workers

II. Proceedings of the 4th Special Convention

General Round Table

1. Opening Remarks

Business Session

2. Proposed Amendments

Competition with

Membership Development

Division I-A Football Criteria

Division I-A Football Criteria

Division I-A Football Criteria

Division I-A Football Criteria

III. National Collegiate Athletic Association

Proposed Amendments

Division I-A Football Criteria

Division I-A Football Criteria

Division I-A Football Criteria

Division I-A Football Criteria

Division I-A Football Criteria

Division I-A Football Criteria

III. Appendices

A. Legislative Proposals

B. Convention Committee

Proceedings

of the

4th Special Convention

of the

National Collegiate Athletic Association

Stouffer's Riverfront Towers

St. Louis, Missouri

December 3-4, 1981



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

Nall Avenue at 63rd Street
P.O. Box 1906
Mission, Kansas 66201
913/384-3220
January 1982

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Table of Contents

I. Register

Administrative Organization	4
Convention Delegates, Visitors and Working Media	12

II. Proceedings of the 4th Special Convention

General Round Table	24
1. Opening Remarks	24
Business Session	
2. Proposed Amendments	
Compliance with Criteria	60
Membership Classification—Division IV	60
Division I-A Football Criteria	61
Division I-A Football Criteria	72
Resolution: Waiver Opportunity	73
Maximum Awards	73
Property Rights	73
Resolution: Football Television	80
Resolution: Football Television	82
Division I Criteria	82
Division I Basketball Criteria	86
Division I Automatic Qualification	86
Division I Automatic Qualification	86

III. Appendices

A. Legislative Proposals	A- 1
B. Convention Committees	A-21

1981 NCAA Administrative Organization

NCAA Officers

President

JAMES FRANK
President
Lincoln University
820 Chestnut
Jefferson City, Missouri 65101

Secretary-Treasurer

JOHN L. TONER
Director of Athletics
University of Connecticut, Box U-78
Storrs, Connecticut 06268

Executive Director

WALTER BYERS
Nall Avenue at 63rd Street
P.O. Box 1906
Mission, Kansas 66201

NCAA Council

The Council is elected by the annual Convention of the Association. The NCAA president and secretary-treasurer are ex officio members and serve as chair and secretary, respectively. Eight members of the Council are the eight district vice-presidents, each of whom is elected for four years. Twelve vice-presidents at large are elected, also for terms of four years.

Term Expires

- District 1 Vice-President*—Andrew T. Mooradian Jan. 1982
Director of Athletics
University of New Hampshire
Durham, New Hampshire 03824
- District 2 Vice-President*—Olav B. Kollevoll. Jan. 1983*
Director of Athletics; Professor of Physical Education
Lafayette College
Easton, Pennsylvania 18042
- District 3 Vice-President*—John W. Sawyer Jan. 1984*
Professor of Mathematics and Computer Science
Wake Forest University, Box 7401
Winston-Salem, North Carolina 27109
- District 4 Vice-President*—Richard G. Shrider Jan. 1985*
Director of Athletics
Miami University
Oxford, Ohio 45056
- District 5 Vice-President*—Aldo A. Sebben Jan. 1984*
Director of Men's Athletics
Southwest Missouri State University, 901 South National
Springfield, Missouri 65802

*Not eligible for reelection to this position.

1981 NCAA Administrative Organization

Council (Continued)

- District 6 Vice-President*—Charles H. Samson Jan. 1985*
Office of the President
Texas A&M University
College Station, Texas 77843
- District 7 Vice-President*—Joseph R. Geraud Jan. 1982*
Professor of Law
University of Wyoming, Box 3035, University Station
Laramie, Wyoming 82071
- District 8 Vice-President*—John R. Davis Jan. 1983*
Associate Dean and Director, Oregon Agricultural
Experiment Station, Ag Hall 127
Oregon State University
Corvallis, Oregon 97331
- Vice-President at Large*—Francis W. Bonner. Jan. 1985*
Vice-President and Provost
Furman University
Greenville, South Carolina 29613
- Vice-President at Large*—Howard Davis. Jan. 1983*
Director of Athletics
Tuskegee Institute
Tuskegee Institute, Alabama 36088
- Vice-President at Large*—Chalmer G. Hixson Jan. 1982*
(Wayne State University)
3518 Delaware Road
Troy, Michigan 48084
- Vice-President at Large*—Judith R. Holland Jan. 1983
Senior Associate Director of Athletics
University of California, Los Angeles, 405 Hilgard Avenue
Los Angeles, California 90024
- Vice-President at Large*—Elizabeth A. Kruczek Jan. 1982
Director of Athletics
Fitchburg State College
Fitchburg, Massachusetts 01420
- Vice-President at Large*—Edwin W. Lawrence. Jan. 1984*
Director of Athletics
Cheyney State College
Cheyney, Pennsylvania 19319
- Vice-President at Large*—Edward W. Malan Jan. 1982*
Faculty Athletic Representative; Prof. of Physical Education
Pomona-Pitzer Colleges, Memorial Gymnasium
Claremont, California 91711
- Vice-President at Large*—Edwin D. Muto Jan. 1985*
Director of Men's Athletics
Buffalo, State University of New York
3435 Main Street
Buffalo, New York 14214

*Not eligible for reelection to this position.

1981 NCAA Administrative Organization

Council (Continued)

- Vice-President at Large*—Gwendolyn Norrell Jan. 1985*
Professor and Assistant Director, Counseling Center
Michigan State University
East Lansing, Michigan 48824
- Vice-President at Large*—Donald M. Russell Jan. 1984*
Chair, Department of Physical Education; Director of Athletics
Wesleyan University
Middletown, Connecticut 06457
- Vice-President at Large*—P. Laverne Sweat Jan. 1984*
Coordinator of Women's Athletic Program
Hampton Institute
Hampton, Virginia 23668
- Vice-President at Large*—Kenneth J. Weller Jan. 1983*
President
Central College
Pella, Iowa 50219

*Not eligible for reelection to this position.

1981 Division Steering Committees

The Divisions I, II and III Steering Committees are subcommittees of the Council, as established in Constitution 5-1-(a)-(5). The 20 vice-presidents of the Association, who compose the Council, represent their respective divisions as members of the division steering committees. For purposes of meetings conducted separately from regular meetings of the Council, each steering committee appoints additional members to serve on the committee, subject to approval of the Council and limited to a number not exceeding the number of Council members on the steering committee.

Division I Steering Committee

Chair—Joseph R. Geraud

- *Francis W. Bonner, Vice-President and Provost
Furman University, Greenville, South Carolina 29613
- G. Jean Cerra, Associate Director of Athletics
University of Missouri, Columbia, Missouri 65205
- *John R. Davis, Associate Dean and Director, Oregon
Agricultural Experiment Station, Ag Hall 127
Oregon State University, Corvallis, Oregon 97331
- Susan B. Feamster, Assistant Director of Athletics/Women's Sports
University of Kentucky, Lexington, Kentucky 40506
- *Joseph R. Geraud, Professor of Law
University of Wyoming, Box 3035, Laramie, Wyoming 82071
- Lee R. Hayley, Associate Director of Athletics
University of Georgia, Athens, Georgia 30613
- Mary Alice Hill, Associate Director of Athletics
San Diego State University, San Diego, California 92182
- *Judith R. Holland, Senior Associate Director of Athletics
University of California, 405 Hilgard Avenue, Los Angeles,
California 90024
- *Olav B. Kollevoll, Director of Athletics; Prof. of Physical Education
Lafayette College, Easton, Pennsylvania 18042
- Noah N. Langdale, President
Georgia State University, Atlanta, Georgia 30303
- *Andrew T. Mooradian, Director of Athletics
University of New Hampshire, Durham, New Hampshire 03824
- Jackie H. Murphy, Coordinator for Women's Athletics
Southern University, Baton Rouge, Louisiana 70813
- Casimir J. Myslinski, Director of Athletics
University of Pittsburgh, Pittsburgh, Pennsylvania 15213
- *Gwendolyn Norrell, Professor and Assistant Director, Counseling
Center
Michigan State University, East Lansing, Michigan 48824
- Sondra Norrell-Thomas, Associate Director of Athletics
Howard University, Washington, D.C. 20059
- Alvin R. Paul, Director of Athletics
Columbia University, Dodge Physical Fitness Center, Room 436
New York, New York 10027

*Members of NCAA Council.

- *Charles H. Samson, Office of the President
Texas A&M University, College Station, Texas 77843
- *John W. Sawyer, Professor of Mathematics and Computer Science
Wake Forest University, Box 7401, Winston-Salem,
North Carolina 27109
- *Richard G. Shrider, Director of Athletics
Miami University, Oxford, Ohio 45056
- Richard A. Young, Director of Athletics
Oklahoma State University, Stillwater, Oklahoma 74078

Division II Steering Committee

Chair—Aldo A. Sebben

- Joan Boand, Coordinator of Women's Athletics
Grand Valley State Colleges, Allendale, Michigan 49401
- Judith M. Brame, Director of Women's Athletics
California State University, Northridge, California 91330
- *Howard Davis, Director of Athletics
Tuskegee Institute, Tuskegee Institute, Alabama 36088
- Lonnie J. Davis, Director of Athletics
Northern Kentucky University, Highland Heights, Kentucky
41076
- Asa N. Green, President
Livingston University, Livingston, Alabama 35470
- *Chalmer G. Hixson
Wayne State University, 3518 Delaware Rd., Troy, Michigan 48084
- *Edwin W. Lawrence, Director of Athletics
Cheyney State College, Cheyney, Pennsylvania 19319
- Milton J. Piepul, Chair, Dept. of Athletics & Physical Education;
Director of Athletics
American International College, 170 Wilbraham Road,
Springfield, Massachusetts 01109
- *Aldo A. Sebben, Director of Men's Athletics
Southwest Missouri State University, 901 South National,
Springfield, Missouri 65802
- *P. Laverne Sweat, Coordinator of Women's Athletic Program
Hampton Institute, Hampton, Virginia 23668

Division III Steering Committee

Chair—Donald M. Russell

- Harriett Crannell, Coordinator of Women's Athletics
Millikin University, Decatur, Illinois 62522
- Patricia A. Dudas, Assistant Director of Athletics
Elmira College, Elmira, New York 14901
- Thomas M. Kinder, Director of Athletics
Bridgewater College, Bridgewater, Virginia 22812
- *Elizabeth A. Kruczek, Director of Athletics
Fitchburg State College, Fitchburg, Massachusetts 01420

*Members of NCAA Council.

- *Edward W. Malan, Faculty Athletic Representative; Professor of
Physical Education
Pomona-Pitzer Colleges, Claremont, California 91711
- William A. Marshall, Director of Athletics
Franklin and Marshall College, Lancaster, Pennsylvania 17604
- Mary Jean Mulvaney, Chair, Dept. of Physical Education & Athletics
University of Chicago, Chicago, Illinois 60637
- *Edwin D. Muto, Director of Athletics
Buffalo, State University of New York, 3435 Main Street, Buffalo,
New York 14214
- *Donald M. Russell, Chair, Dept. of Physical Education; Director of
Athletics
Wesleyan University, Middletown, Connecticut 06457
- *Kenneth J. Weller, President
Central College, Pella, Iowa 50219

*Members of NCAA Council.

NCAA Executive Committee

The NCAA president and secretary-treasurer shall be ex officio members of the Executive Committee. The remaining 10 members of the committee are elected by the Council for a period of one year. At least one new member shall be elected each year. Date of first election is shown in parentheses.

Ernest C. Casale (Jan. 1980)
Director of Athletics
Temple University
Philadelphia, Pennsylvania 19122

Linda K. Estes (Jan. 1981)
Director of Women's Athletics
University of New Mexico
Albuquerque, New Mexico 87131

J. William Grice (Jan. 1977)
Chair, Department of Physical Education;
Director of Athletics
Case Western Reserve University, 10900 Euclid Avenue
Cleveland, Ohio 44106

Robert C. James (Jan. 1976)
Commissioner
Atlantic Coast Conference, P.O. Box 29169
2100-N West Cornwallis Drive
Greensboro, North Carolina 27408

Henry T. Lowe (Jan. 1979)
Professor of Law
University of Missouri, 218 Tate Hall
Columbia, Missouri 65201

Seaver Peters (Jan. 1977)
Director of Athletics
Dartmouth College
Hanover, New Hampshire 03755

Robert F. Riedel (Jan. 1981)
Director of Athletics
Geneseo, State University College
Geneseo, New York 14454

Charley Scott (Jan. 1980)
Associate Academic Vice-President
University of Alabama, P.O. Box 1933
University, Alabama 35486

Joe L. Singleton (Jan. 1977)
Director of Athletics
University of California, Davis, Hickey Gymnasium
Davis, California 95616

Mary M. Zimmerman (Jan. 1981)
Associate Director of Athletics
University of South Dakota
Vermillion, South Dakota 57069

NCAA National Office

General Administration

Walter Byers, *Executive Director*
Louis J. Spry, *Controller*
James H. Wilkinson, *Assistant Executive Director*
Marjorie Fieber, *Business Manager*
David P. Seifert, *Executive Assistant*
Fannie B. Vaughan, *Administrative Assistant*
Skipper A. Zipperlen, *Administrative Assistant*

Championships

Thomas W. Jernstedt, *Assistant Executive Director*
Ruth M. Berkey, *Director of Women's Championships*
Jerry A. Miles, *Director of Men's Championships*
Patricia E. Bork, *Assistant Director of Championships*
Richard D. Hunter, *Assistant Director of Championships*
Ralph McFillen, *Assistant Director of Championships*
Dennis L. Poppe, *Assistant Director of Championships*
Cynthia L. Smith, *Assistant Director of Championships*
Patricia W. Wall, *Assistant Director of Championships*

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C. Dennis Cryder, *Director of Productions*
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James W. Shaffer, *Assistant Director of Productions*
Jim Van Valkenburg, *Associate Director of Promotion*
Steve Boda, *Assistant Director of Promotion*
Michael F. Bowyer, *Administrative Assistant*
Jennifer A. Boyer, *Production Coordinator*
Timothy W. Gleason, *Administrative Assistant*
Gina L. McNeal, *Administrative Assistant*
Roberta A. Rogers, *Administrative Assistant*
Shirley Whitacre, *Membership Coordinator*
James F. Wright, *Statistics Coordinator*
Ron Schwartz, *Director, Television News Service*
888 Seventh Avenue, New York, N.Y. 10019

Legislative Services and Enforcement

William B. Hunt, *Assistant Executive Director*
S. David Berst, *Director of Enforcement*
Stephen R. Morgan, *Director of Legislative Services*
Hale McMenamin, *Assistant Director of Enforcement*
Ronald J. Stratten, *Assistant Director of Enforcement*
Thomas E. Yeager, *Assistant Director of Legislative Services*
Janice I. Bump, *Administrative Assistant*
David A. Didion, *Enforcement Representative*
Michael M. Gilleran, *Enforcement Representative*
Michael S. Glazier, *Enforcement Representative*
Robert J. Minnix, *Enforcement Representative*
Louis A. Onofrio, *Enforcement Representative*
Dale Smith, *Enforcement Representative*
Charles E. Smrt, *Enforcement Representative*

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Wallace I. Renfro, *Director of Publishing*
David Pickle, *Managing Editor, NCAA News*
Lavonne G. Seifert, *Assistant Director of Publishing*
Maxine R. Alejos, *Circulation Manager*
Bruce L. Howard, *Publications Editor*
Timothy D. Schmad, *Publications Editor*
James A. Sheldon, *Publications Editor*

4th SPECIAL CONVENTION DELEGATES AND VISITORS

Active Member Institutions

District 1

American International College: Milton J. Piepul
 Bentley College: Elwood N. Shields
 Boston College: William J. Flynn
 Boston State College: Mary R. Barrett
 Boston University: John B. Simpson
 Bridgeport, University of: Francis W. Poisson
 Brown University: John C. Parry
 Connecticut, University of: John A. DiBiaggio, John L. Toner
 Dartmouth College: Seaver Peters
 Fairfield University: C. Donald Cook
 Fitchburg State College: Elizabeth A. Kruczek
 Harvard University: John P. Reardon Jr.
 Holy Cross University: Ronald S. Perry
 Maine, University of, Orono: Harold S. Westerman
 Massachusetts, University of, Amherst: David Bischoff
 New Hampshire, University of: C. Robert Keesey, Andrew T. Moora-
 dian
 Northeastern University: Robert Lyons, Joseph P. Zabilski
 Providence College: David R. Gavitt
 Rhode Island College: William Baird
 Southern Connecticut State College: Raymond W. DeFrancesco,
 Lawrence Fitzgerald
 Springfield College: Edward S. Steitz
 Vermont, University of: Denis Lambert
 Wesleyan University: Donald M. Russell
 Westfield State College: F. Paul Bogan
 Yale University: James G. Holgate

District 2

Adelphi University: Laurence C. Keating Jr.
 American University: Robert H. Frailey
 Binghamton, State University of New York: Robert D. Kreidler
 Bloomsburg State College: H. Cecil Turberville
 Brooklyn College: Joseph A. Margolis
 Bucknell University: Bruce A. Corrie, Robert A. Latour
 Buffalo, State University of New York: Edwin D. Muto
 Canisius College: Daniel P. Starr
 Colgate University: Frederick H. Dunlap
 Columbia University: Alvin R. Paul
 Cornell University: Terry R. Mallett, Michael L. Slive
 Delaware, University of: David M. Nelson
 Delaware State College: Luna I. Mishoe, Nelson E. Townsend
 District of Columbia, University of: Orby Moss Jr.

Drexel University: John Semanik
 Duquesne University: John M. Manning
 East Stroudsburg State College: Clyde H. Witman
 Fairleigh Dickinson University, Madison: Robert T. Shields
 Fairleigh Dickinson University, Teaneck: Stanley V. Wright
 Fordham University: David Rice
 Franklin and Marshall College: William A. Marshall
 Fredonia, State University College: Everett Phillips
 Gannon University: Howard Elwell
 Geneseo, State University College: Robert F. Riedel
 George Mason University: Robert Epskamp
 George Washington University: Edward A. Caress
 Georgetown University: Jesse Mann, Francis X. Rienzo
 Hampton Institute: P. Laverne Sweat
 Hofstra University: Robert M. Getchell
 Howard University: Henry Jones, Leo F. Miles, Sondra Norrell-
 Thomas
 Iona College: Richard Mazzuto
 Lafayette College: Olav B. Kollevoll
 La Salle College: William D. Bradshaw
 Lehigh University: William B. Leckonby
 Le Moyne College: Thomas J. Niland Jr.
 Long Island University: Jerry Donner
 Loyola College: Thomas J. O'Connor
 Manhattan College: John J. Powers
 Marist College: Lawrence W. Menapace
 Maryland, University of, Eastern Shore: Joel C. Mack
 Mercyhurst College: Michael J. Cusack
 New York University: Daniel E. Quilty
 Niagara University: Raymond P. Kist
 Pennsylvania, University of: Charles Harris
 Pennsylvania State University: John J. Coyle, Edward M. Czekaj,
 John W. Oswald, Joseph V. Paterno, Robert A. Patterson
 Pittsburgh, University of: John O. Bolvin, Jack E. Freeman, Casimir J.
 Myslinski
 Pittsburgh, University of, Johnstown: George R. Walter
 Princeton University: Robert J. Myslik
 Ramapo College: Robert N. Hartman
 Rider College: Jeffery F. Pierfy
 Robert Morris College: C. Robert Miller, Robert W. Norberg
 Rutgers University, New Brunswick: Frederick E. Gruninger
 St. John's University (N.Y.): John W. Kaiser
 St. Joseph's University: Michael L. Schultz
 St. Peter's College: Barbara Church
 Scranton, University of: Gary Wodder
 Seton Hall University: Melvin Knight
 Stony Brook, State University of New York: John W. Ramsey
 Syracuse University: David H. Bennett, Jake Crouthamel, Clifford L.
 Winters Jr.
 Temple University: Ernest C. Casale
 Towson State University: Joseph H. McMullen

U.S. Military Academy: Brig. Gen. Frederick A. Smith Jr., Carl F. Ulrich
 U.S. Naval Academy: Capt. J. O. Coppedge
 Utica College: Maynard A. Lang
 Villanova University: Ted Aceto, James Brown
 Wagner College: Walter Hamline
 West Virginia University: Forest J. Bowman, Fred A. Schaus

District 3

Alabama, University of, Birmingham: J. Dudley Pewitt, Jerry D. Young
 Alabama, University of: Ann Marie Lawler, Charley Scott, Joab L. Thomas
 Appalachian State University: C. H. Gilstrap, Roger E. Thomas
 Auburn University: Wilford S. Bailey, John Cochran, Pat Dye, Hanly Funderburk Jr.
 Augusta College: Marvin Vanover
 Austin Peay State University: Johnny Miller
 Christopher Newport College: R. Bev Vaughan
 Citadel: Col. William L. Harris, Edward L. Teague
 Clemson University: Bill L. Atchley, H. C. McLellan, B. J. Shelton, Kenneth N. Vickery
 Davidson College: J. B. Stroud
 Delta State University: Bradford W. Hovious, Kent Wyatt
 Duke University: William D. Bradford M.D., Tom Butters, E. J. McDonald, A. Kenneth Pye
 East Carolina University: O. Kenneth Karr
 East Tennessee State University: Ronald E. Beller, C. Douglas Messer
 Eastern Kentucky University: Russell Bogue
 Emory University: Clyde Partin
 Fayetteville State University: John D. Marshall Jr.
 Fisk University: John C. Martin
 Florida, University of: William Carr, Warren Casun, Mandell Glicksberg, Thomas C. MacDonald Jr., John A. Nattress
 Florida A&M University: Walter L. Smith, Roosevelt Wilson
 Florida International University: Nancy J. Olson
 Florida State University: Cecil W. Ingram
 Frostburg State College: Kenneth Kutler
 Furman University: Dutch Baughman, Francis W. Bonner
 Georgia, University of: Fred C. Davison, Lee R. Hayley, William M. Powell
 Georgia Institute of Technology: Homer C. Rice, William M. Sangster
 Georgia Southern College: Frank C. Clark
 Georgia State University: William S. Patrick
 Jacksonville University: Jesse S. Robertson Jr.
 James Madison University: Ben L. Carnevale, S. Dean Ehlers, David Melesco
 Johnson C. Smith University: Edward C. McGirt
 Kentucky, University of: Donald B. Clapp, Clifford O. Hagan, William L. Matthews Jr.
 Liberty Baptist College: Tom Dowling

Livingston University: Asa N. Green
 Longwood College: Carolyn V. Hodges
 Louisiana State University: Paul F. Dietzel, James Wharton
 Louisville, University of: Burt L. Monroe Jr., William C. Olsen, James L. O'Sullivan
 Marshall University: Lynn Snyder
 Maryland, University of, College Park: Richard M. Dull, Robert L. Gluckstern, Charles A. Taff
 Memphis State University: Thomas G. Carpenter, Ford Haynes Jr., Billy J. Murphy, Bob Patterson
 Mercer University: William C. Bibb
 Miami, University of: Harry C. Mallios
 Middle Tennessee State University: Jimmy Earle
 Mississippi, University of: Warner Alford
 Mississippi College: John M. Williams
 Mississippi State University: Donovan D. Horn, Carl Maddox
 Morehead State University: G. E. Moran Jr.
 Murray State University: Johnny L. Reagan
 Nicholls State University: Don Landry
 North Alabama, University of: Roy S. Stevens
 North Carolina, University of, Chapel Hill: John D. Swofford, Benson R. Wilcox
 North Carolina, University of, Charlotte: Thomas C. Turner, Clyde L. Walker
 North Carolina, University of, Greensboro: Tony Ladd
 North Carolina, University of, Wilmington: William J. Brooks
 North Carolina A&T State University: Bert C. Piggott, Albert E. Smith
 North Carolina State University: Robert S. Bryan, Frank Weedon
 Northern Kentucky University: Lonnie J. Davis
 Old Dominion University: James Jarrett
 Richmond, University of: Charles S. Boone, E. Bruce Heilman
 Samford University: H. Evan Zeiger
 South Alabama, University of: James H. Boyd
 South Carolina, University of: William F. Putnam
 South Carolina State University: Victor E. Kerr Jr.
 South Florida, University of: Phyllis P. Marshall
 Southeastern Louisiana University: Leo P. Jones
 Southern Mississippi, University of: Roland H. Dale, Sidney E. Weatherford
 Southwestern College: Edmunds White
 Stetson University: Fred H. Cooper
 Tennessee, University of, Chattanooga: Charles M. Temple, Harold B. Wilkes
 Tennessee, University of, Knoxville: Ralph E. Chancey, H. Alan Lasater, G. Robert Woodruff
 Tennessee, University of, Martin: Ernest W. Blythe Jr.
 Tennessee State University: Sterlin Adams, Samuel R. Whitmon
 Tennessee Technological University: David W. Coffey
 Tulane University: James T. Rogers
 Tuskegee Institute: Howard Davis
 Vanderbilt University: Paul Harrawood, Roy Kramer

Virginia, University of: Richard D. Schultz, D. Alan Williams
 Virginia Commonwealth University: Lewis B. Mills
 Virginia Military Institute: John G. Barrett
 Virginia Polytechnic Institute: William G. Dooley, William E. Lavery,
 James I. Robertson
 Virginia State University: Claud Flythe
 Virginia Union University: Willard Bailey
 Wake Forest University: Gene E. Hooks, John W. Sawyer
 Washington and Lee University: William D. McHenry
 Western Carolina University: Gurney Chambers, Robert L. Waters
 Western Kentucky University: John O. Oldham
 William and Mary, College of: Jim Copeland, Thomas A. Graves Jr.,
 John F. Lavach

District 4

Akron, University of: Gordon K. Larson
 Ball State University: Al Brown, Richard C. McGee, George E.
 Swafford, Dwight D. Wallace
 Bowling Green State University: Michael R. Ferrari, Marvin L.
 Kumler, James W. Lessig
 Butler University: William L. Sylvester
 Central Michigan University: Theodore Kjolhede
 Chicago, University of: Robert V. Larsen, Mary Jean Mulvaney
 Cincinnati, University of: Mike McGee, Gordon S. Skinner
 Cleveland State University: Robert F. Busbey, Merle J. Levin
 Dayton, University of: Thomas J. Frericks
 DePaul University: Thomas M. Croak, Edward J. Manetta Jr.
 DePauw University: Robert D. Loring
 Detroit, University of: Brad Kinsman
 Eastern Illinois University: R. C. Johnson, Daniel E. Marvin Jr.
 Eastern Michigan University: Alex Agase, John Fountain
 Evansville, University of: James A. Byers, J. Robert Knott
 Grand Valley State Colleges: George M. MacDonald
 Illinois, University of, Champaign: John E. Nowak, Neale R. Stoner
 Illinois, University of, Chicago Circle: William Roetzheim
 Illinois College: E. Joe Brooks
 Indiana University: Ralph N. Floyd, John W. Ryan, Jack R. Went-
 worth
 Iowa, University of: Robert F. Ray
 John Carroll University: James M. Lavin
 Kent State University: Paul V. Amodio, Doris F. Chambers
 Lawrence University: Ronald D. Roberts
 Lewis University: Paul Ruddy
 Loyola University: Loyal K. Park, Samuel D. Ramenofsky
 Marquette University: Henry C. Raymonds
 Miami University: Charles Heimsch, Richard G. Shrider
 Michigan, University of: Thomas J. Anton, Donald B. Canham
 Michigan State University: Gwendolyn Norrell, Douglas W. Weaver
 Millikin University: Merle W. Chapman
 Minnesota, University of, Minneapolis: Robert J. Geary, Paul R. Giel
 Monmouth College: William J. Wallace

North Central College: Russell J. Poel
 Northern Illinois University: Robert J. Brigham, McKinley Davis,
 Susie Jones, William R. Monat, John Pembroke, Nancy M. Vedral
 Northwestern University: Frederick Hemke, Doug Single
 Notre Dame, University of: Eugene F. Corrigan, Jack Stephens
 Oakland University: Corey Van Fleet
 Ohio State University: Hugh D. Hindman, James L. Jones, William R.
 Nester, Harold Shechter
 Ohio University: Fred Picard
 Principia College: John F. Bower
 Purdue University: Gilbert S. Banker, George S. King Jr.
 St. Norbert College: Albert E. Negratti
 Southern Illinois University, Edwardsville: Eldon M. Bigham
 Toledo, University of: Glen R. Driscoll, Vernon M. Smith, John W.
 Stoeppler
 Valparaiso University: Norman Hughes, William L. Steinbrecher
 Wabash College: Robert L. Henry, Lewis S. Salter
 Wayne State University: Chalmer G. Hixson
 Western Illinois University: Leslie F. Malpass, Gil Peterson
 Western Michigan University: Robert W. Hannah, Christine Hoyles,
 Leo C. Vander Beek
 Wheaton College: Jack Swartz
 Wisconsin, University of, Green Bay: Bruce A. Grimes
 Wisconsin, University of, Madison: Elroy L. Hirsch
 Wisconsin, University of, Stevens Point: Virgil A. Thiesfeld
 Wisconsin, University of, Whitewater: Forrest Perkins
 Wright State University: Donald J. Mohr
 Xavier University: Earl J. Kronenberger
 Youngstown State University: William E. Narduzzi

District 5

Bradley University: Ron Ferguson, Ron Koperski
 Buena Vista College: Darrell J. Peck
 Central College: Kenneth J. Weller
 Central Missouri State University: Alan Molde, William L. Stucker,
 Floyd A. Walker
 Colorado, University of: William H. Baughn, Edwin B. Crowder
 Creighton University: James R. Doyle, Dan Offenburger
 Drake University: James A. Adams, Robert D. Karnes, Wilbur C.
 Miller
 Dubuque, University of: Don Birmingham
 Grinnell College: John A. Pfitsch
 Illinois State University: Vernon Adams, Jill Hutchison, Twyman
 Jones, Donald G. Kelley
 Indiana State University, Terre Haute: Alpha Cleary, Bernard F.
 Cooper, John C. Jessell, Richard G. Landini
 Iowa State University: John P. Mahlstede, Louis G. McCullough, W.
 Robert Parks
 Kansas, University of: Del Brinkman, Robert K. Marcum
 Kansas State University: Robert R. Snell, Dick Towers

Lincoln University: James Frank, Yvonne Hoard, Donald E. Hudson,
Lucius Jones, David Shinholster
Maryville College: Harold L. Gaines, Bill Heitholt, Claudius Pritchard
Missouri, University of, Columbia: G. Jean Cerra, Dave Hart, Jack
Lengyel, Henry T. Lowe, Barbara S. Uehling
Missouri, University of, Rolla: Billy A. Key
Missouri, University of, St. Louis: Judith Berres, Marcia Dalbey,
Charles Smith
Nebraska, University of, Lincoln: Keith Broman, Don Bryant, June B.
Davis, Robert S. Devaney, Martin A. Massengale
Nebraska, University of, Omaha: Don Leahy
New Mexico State University: Keith Colson, Del Wells
North Dakota, University of: Carl R. Miller
North Dakota State University: David Forbes
Northern Colorado, University of: Robert Montgomery
Northern Iowa, University of: John Kamerick, Stan Sheriff
Northwest Missouri State University: John Paul Mees
Oklahoma, University of: William S. Banowsky, Andy Coats, Daniel G.
Gibbens, Barry Switzer, R. Gerald Turner, Wade H. Walker
Oklahoma City University: Arnold Short
Oklahoma State University: Lawrence L. Boger, Raymond E. Chapel,
Richard A. Young
Oral Roberts University: Robert T. Brooks
St. Louis University: Guy R. Banville, Mickey Englett
South Dakota State University: Harry L. Forsyth, Mylo A. Hellickson
Southeast Missouri State University: John Koenig, Marvin Rosengar-
ten, Bill W. Stacy
Southern Illinois University, Carbondale: Lew Hartzog, W. D. Klim-
stra, Charlotte West
Southwest Missouri State University: Ken Brown, Duane G. Meyer,
Aldo A. Sebben, Mary Jo Wynn
Tulsa, University of: John Cooper, Bradley E. Place
Washington University: Lynn C. Imergoot, John Schael
West Texas State University: Myron H. Dees, Max Sherman, Leon
Trekell
Wichita State University: Martin M. Perline

District 6

Alcorn State University: Marino H. Casem, Norris A. Edney
Arkansas, University of, Fayetteville: J. Frank Broyles, Albert M.
Witte
Arkansas, University of, Little Rock: Happy Mahfouz
Arkansas, University of, Pine Bluff: Vannette W. Johnson
Arkansas State University: Sam R. Gennuso, Larry Lacewell
Baylor University: Edwin P. Horner, Bill Menefee, Herbert H. Reyn-
olds
Centenary College: David Thomas
Grambling State University: Joseph B. Johnson, Edward G. Robinson
Hardin-Simmons University: L. Ross Johnson
Houston, University of: Cedric W. Dempsey, Michael T. Johnson
Houston Baptist University: Ed S. Billings

Lamar University: H. Ed Eveland, James B. Higgins
Louisiana Tech University: Charles W. Bussey Jr., Harold J. Smolinski
McNeese State University: Jack V. Doland, Joseph E. Duplechin,
Charles W. Sparks
Mississippi Valley State University: Davis Weathersby
North Texas State University: William A. Miller, Frederick R. Pole
Northeast Louisiana University: Benny Hollis
Northwestern State University: Dan B. Carr, A. L. Williams Jr.
Pan American University: Lew Comer, John W. Hook
Prairie View A&M University: Marion Henry
Rice University: James A. Castaneda, Alan J. Chapman, August
Erfurth Jr., Norman Hackerman
Southern Methodist University: Bob Hitch, L. Donald Shields, Joseph
B. Tyson
Southern University, Baton Rouge: Richard A. Hill, Jesse N. Stone Jr.
Southwest Texas State University: Billy M. Miller, Allan Watson
Southwestern Louisiana, University of: Dan Roy Jr., Gerard St.
Martin
Texas, University of, Arlington: John J. Haynes, William E. Reeves
Texas, University of, Austin: Ronald M. Brown, DeLoss Dodds, Donna
Lopiano, L. O. Morgan, W. O. Shultz II
Texas A&I University: Gilbert Steinke
Texas A&M University: Wally Groff, Charles H. Samson
Texas Christian University: Kenneth W. Herrick, William E. Tucker,
Frank Windegger
Texas Southern University: Dave Bethany, Willie Davis, William H.
Glosson
Texas Tech University: John F. Conley, Robert M. Sweazy

District 7

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Brigham Young University: Clayne R. Jensen, W. Rolfe Kerr, Glen C.
Tuckett
Colorado School of Mines: John A. Hogan
Colorado State University: Ralph E. Christoffersen
Denver, University of: Ronald J. Oyer
Eastern Montana College: Woody Hahn
Gonzaga University: Dan Fitzgerald
Hawaii, University of: Ted Livingston
Idaho, University of: Harold Godwin
Idaho State University: Darold H. Chambers
Montana, University of: Evan Denney, Harley W. Lewis
Montana State University: Edward L. Hanson, Tom Parac
Nevada, University of, Las Vegas: Charles A. Bucher, Leonard E.
Goodall, Tina Kunzer, Bradley L. Rothermel
Nevada, University of, Reno: Richard M. Trachok
New Mexico, University of: John D. Bridgers, Linda K. Estes, Marvin
D. Johnson
Northern Arizona, University of: T. H. Anderson, Sam F. McClanahan
San Diego State University: J. Gene Bourdet, Thomas B. Day
Texas, University of, El Paso: Richard W. Burns, Haskell Monroe

U.S. Air Force Academy: Col. John J. Clune, Harvey W. Schiller
Utah, University of: R. J. Snow
Weber State College: Gary T. Crompton
Wyoming, University of: Joseph R. Geraud

District 8

Alaska, University of, Fairbanks: John C. Gilmore
Arizona, University of: Robert W. Sankey, John P. Schaefer, David H. Strack
Arizona State University: J. Russell Nelson, Milton R. Schroeder, Richard P. Tamburo
California, University of, Berkeley: Robert F. Steidel Jr.
California, University of, Davis: Joe L. Singleton
California, University of, Irvine: Linda B. Dempsay
California, University of, Los Angeles: Douglas S. Hobbs, Judith R. Holland, Charles E. Young
California, University of, Riverside: Franklin A. Lindeburg
California, University of, San Diego: Judith M. Sweet
California, University of, Santa Barbara: Ken Droscher
California State Polytechnic University, Pomona: Howard Hohman
Eastern Washington University: Ron Raver
Fresno, California State University: D. W. Holmes, F. Russell Sloan
Fullerton, California State University: Ed Carroll, Jewel Plummer Cobb
Long Beach, California State University: Stephen Horn, Perry C. Moore
Loyola Marymount University: William Moebs
Northridge, California State University: Robert J. Hiebert
Oregon, University of: Rick Bay, Ray Hawk
Oregon State University: John R. Davis, Robert W. MacVicar
Pacific, University of the: Elkin Isaac, Stanley Volbrecht
Pepperdine University: Wayne Wright
Pomona-Pitzer Colleges: Edward W. Malan
Portland, University of: Joseph A. Etzel
Puget Sound, University of: Jack A. Ecklund
St. Mary's College: William McLeod
San Diego, University of: Thomas F. Burke, Rev. Patrick G. Cahill
San Francisco, University of: Bill Fusco
San Jose State University: David H. Adams, Gail Fullerton, Richard I. Post
Santa Clara, University of: George P. Malley
Southern California, University of: E. John Larsen, Richard H. Perry
Stanford University: Jack Friedenthal, Ferdinand A. Geiger
Utah State University: Ladell Andersen, Stanford Cazier, Norman B. Jones
Washington, University of: Harry M. Cross, Milo R. Lude
Washington State University: Edward M. Bennett, Sam Jankovich

Allied Members

Atlantic Coast Conference: Robert C. James, John A. Fuzak
Big East Conference: David R. Gavitt

Big Eight Conference: Carl C. James, Prentice Gautt
Big Sky Conference: Ron Stephenson
Big Ten Conference: Wayne Duke, John Dewey, Charles D. Henry
Central Intercollegiate Athletic Association: Bob Moorman
College Conference of Illinois and Wisconsin: Russell Poel
*College Football Association: Charles M. Neinas, Elayne M. Donahue, Philip R. Hochberg
East Coast Conference: Ernest C. Casale
Eastern Athletic Association: Leland E. Byrd
Eastern College Athletic Conference: Robert M. Whitelaw
Gulf South Conference: James L. McCullough
Heartland Collegiate Conference: John J. Hinga
Ivy League: James M. Litvack
Massachusetts State College Athletic Conference: F. Paul Bogan
Metro Atlantic Athletic Conference: Jim McDermott
Metropolitan Collegiate Athletic Conference: Lawrence K. Albus, David Axelson, Jerry Lovelace, Joe Mitch
Michigan Intercollegiate Athletic Association: Albert L. Deal
Mid-American Athletic Conference: Fred Jacoby
*Mid-Continent Athletic Conference: F. L. Ferzacca
Mid-Eastern Athletic Conference: Kenneth A. Free
Midwest Collegiate Athletic Conference: Ron Roberts
Midwestern City Conference: Cecil N. Coleman
Missouri Intercollegiate Athletic Association: Ken B. Jones
Missouri Valley Conference: Richard D. Martin, Jeff Hurd
North Central Intercollegiate Athletic Conference: R. D. Halford
Northeast-8 Conference: Al Shields
Ohio Athletic Conference: Fred Jacoby
Ohio Valley Conference: James E. Delany
Pacific Coast Athletic Association: Lewis A. Cryer
Pacific-10 Conference: Wiles Hallock, David Price
Southeastern Conference: H. Boyd McWhorter, Mark Womack
Southern Conference: Kenneth G. Germann
Southern Intercollegiate Athletic Conference: George H. Hobson
Southland Conference: Dick Oliver
Southwest Athletic Conference: Harold W. Lahar, Bill Morgan
Southwestern Athletic Conference: Norris A. Edney
State University of New York Athletic Conference: Robert D. Kreidler
Sun Belt Conference: Victor Bubas
Trans America Athletic Conference: Bob Vanatta
West Coast Athletic Conference: G. B. Wyness
Western Athletic Conference: Joseph L. Kearney, Nurdy Jensen
Western Collegiate Athletic Association: Mona Plummer

*Nonvoting

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Dallas Times Herald: Bob Galt

Denver Post: Dick Connor

Des Moines Register: Buck Turnbull

Detroit Free-Press: Joe LaPointe

ESPN: Jeff Blankman, Lou Palmer, Greg Wade
Evans, Wilbur

Higher Education Daily: David Lytel

Houston Post: Tracy Dodds

Jonesboro Sun: Charlie Cromwell

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KSDK-TV: Ron Jacober, Jay Randolph

Kansas City Star & Times: Steve Richardson

Las Vegas Tribune: Joe Hawk

Lincoln Journal & Star: Virgil Parker

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Minneapolis Tribune: Jon Roe

Missouri Network: Steve Boss

NBC Radio: John Gerrard

NBC Sports: Natalia Hunter, Rex Lardner Jr., Geoffrey Mason, Ken
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New Orleans Times-Picayune: Brian Walsh

New York Times: Gordon White

Newsday: Pete Alfano

ON-TV: John Mohr

Omaha World-Herald: Bob Tucker

Peninsula Times-Tribune: Ray Ratto

Philadelphia Bulletin: Mary Hyman

Philadelphia Inquirer: Bill Livingston

Richmond Times-Dispatch: Jerry Lindquist

Roanoke Times & World News: Bill Brill

St. Louis Globe-Democrat: Bill Brinson, Rich Koster, Richard Parrish,
Julie Ward

St. Louis Post-Dispatch: Dave Dorr

Salt Lake City Tribune: John Mooney

The Sporting News: Joe Marcin

USA Network: Gordon Beck, Jim Zrake

United Press International: Bob Rains

WIL Radio: Mike Harris

WMJM Radio: Bob Mayhall

Washington Post: John Feinstein

GENERAL ROUND TABLE

Thursday Afternoon, December 3, 1981

The general round table convened at 2 p.m. in the Ballroom, with NCAA President James Frank of Lincoln University presiding.

1. OPENING REMARKS

President Frank: This session will constitute the official opening of this Convention. As you know, our meetings are conducted under the procedures prescribed by Robert's Rules of Order, Newly Revised. One such procedure is the need to adopt the Convention program prior to beginning our business. I will now ask for a motion to adopt the printed program of this Convention so that we may proceed with the work of this Convention.

[A motion was made and seconded, and the Convention program was approved.]

Robert's Rules of Order provides that procedures therein may be superseded or replaced by an organization's own traditional and customary procedures. This Association has a number of such procedures and several of them are reviewed in the introductory section of your program. All of the NCAA's Convention procedures are designed to assure fairness and equitable treatment for all members, as well as to eliminate any questions of propriety and to expedite your work as delegates. I will not take the time today to explain all of the parliamentary procedures used to assure fairness. I will remind the delegates, however, that the chair fully intends to apply those procedures throughout. We will, for example, be aware of the number of times an individual speaks on a given issue and the length of time taken by any one speaker, both matters controlled by Robert's.

Also, Robert's states that any motion to table which is designed to prevent debate or to kill a motion is dilatory and, thus, will be ruled out of order. Only a two-thirds majority of this body can suppress debate on a circularized proposal.

There are certain procedures we employ in attempting to use our time efficiently. One, the chair will attempt to "eyeball" as many votes as possible, calling for a count by the Voting Committee only when there is doubt as to the majority. I ask all delegates to refrain from calling for a vote count unless one seems necessary to determine the disposition of the issue.

Two, if the delegates intend to debate an issue, we ask that they be at one of the microphone locations and prepared to speak when the motion has been made and seconded. If the chair sees no one at the microphone, the vote will be called as quickly as possible. Please note that the microphones are numbered, and we will try to use those numbers in recognizing speakers.

Three, on bylaws issues, the chair will call for the vote in the same division sequence each time—Division I first, then Division II, and then Division III. The results of a division's vote will not be announced until all divisions have voted.

Each year, we review the voting and speaking privileges for NCAA Conventions. One, each active member institution may have four accredited delegates, one voting and three alternates. They may exchange the voting privilege among them because all have been approved as voters by the chief executive officer of the institution. Active members may also have visiting delegates if they desire, but those visitors may not participate in the Convention in terms of speaking or voting.

Two, allied conferences which have voting privileges in accordance with the constitution have the same voting and speaking rights as active members.

An allied conference that does not have a vote, and any affiliated organization, may have one official delegate who is permitted to speak but not to vote. We ask that these individuals identify themselves and their affiliation clearly when they rise to speak. In fact, to assist the recorder of these proceedings, we ask all who speak to identify themselves and their affiliation. Those delegates wearing Convention badges with ribbons are permitted to speak. Those without ribbons are visitors and may not participate other than as observers.

Please be reminded that the business session will begin promptly at 9 a.m. tomorrow.

It is my privilege to identify two Convention committees for this special Convention and the chair of each. The Voting Committee is chaired by Frank Windeger of Texas Christian University, and the Committee on Credentials by Don Cooke of Fairfield University. Don is filling in for Richard Clower. Those committees are listed in your program.

A few announcements before John Toner begins the round table. First, the amendment-to-amendment deadline was 1 p.m. today, as prescribed by the constitution and bylaws. All amendments to amendments that were submitted by 1 p.m. today will be distributed when you come into the business session tomorrow morning.

Second, if you intend to withdraw an amendment you have submitted to this Convention, please notify the staff before the business session tomorrow. The chair will then announce such withdrawals, saving the Convention some time.

At this time I am going to take a few minutes to make some comments about this special Convention. Most of the background information is contained in your Official Notice and Program. I will not repeat all of that, except to point out a few key facts.

First, the review of the Association's division structure is not new. The Special Committee on NCAA Governance, Organization and Services, which I have the privilege of chairing, began its study of the district and division structures of the NCAA in December of 1979, two years ago. It became obvious almost immediately that the most

immediate concern before the committee was the development of programs for women within the NCAA and that this issue needed attention prior to further consideration of the Association's division structure. As you know, the Governance Committee then spent much of 1980 developing the Governance Plan involving women that was adopted at the Convention last January.

The Governance Committee returned to the division structure considerations in its first meeting of 1981, last March. The committee believed that a smaller group could best handle that matter, so a subcommittee of five members was appointed and was charged specifically by the Governance Committee to consider the Divisions I-A and I-AA Football classifications that resulted from the 1978 reorganization, as well as the apparently uncontrolled growth of Division I as a whole.

That special governance subcommittee was chaired by Dick Perry of the University of Southern California. The other members were Charley Scott of the University of Alabama; DeLoss Dodds, who was then at Kansas State; former NCAA President Neils Thompson, and our secretary-treasurer, John Toner. I also attended both of the subcommittee's meetings, in June and in August. Most of the proposals sponsored by the NCAA Council for this special Convention were developed by that subcommittee and subsequently approved by both the full Governance Committee and the NCAA Council.

I want to emphasize that the concerns regarding Division I and Division I-A Football were substantial. The Council called this special Convention to respond directly to requests from members for such a meeting.

It is true that the 1978 football reorganization did not work as it was intended. It is true that the present Division I criteria have not been meaningful in terms of refining the membership of that division. Division I as a whole, and Division I-A Football as a subdivision, are not made up of institutions with similar intercollegiate commitments and like athletic planning and programs.

In short, the situation has not improved; and, as was stated in the question-and-answer sheet mailed to you last week, many believe that in some respects the differences among current Division I and I-A members are as significant today as when the three-division format was adopted in 1973.

I believe it is necessary and desirable that these matters be resolved at this time. As I stated, the NCAA Council has been responsive in calling this special Convention, and I believe it has been responsive in proposing legislation that will treat the issues in an equitable manner.

At this time I would like to turn the chair over to our secretary-treasurer, John Toner.

Secretary-Treasurer Toner: We have a few simple guidelines we would like to invoke for this afternoon's round table. Anyone who wishes to use one of the microphones should anticipate that by stepping up to a microphone, even when someone else is at another microphone addressing the assembly.

Second, we have 23 proposals for consideration at this special Convention; and it is our plan to ask each of the presenters of the amendments to step forward to a microphone. When that amendment is introduced by a member, please introduce yourself, your institution or allied conference affiliation and then introduce the amendment, speak to the intent of the amendment and stand for any questions that you might receive regarding clarification of the amendment itself.

We are going to attempt to proceed through the 23 amendments without debating any one of the issues at this time. If we are successful and we have time remaining, then we will open it up to the yeas and nays and the debatable things that may occur for the rest of the time we have this afternoon.

We won't have any ground rules at this time except that you allow the chair of the round table to exercise his judgment as to when we have had enough on each of these issues.

If there is no question at this time, we would ask Jack Davis, the presenter of Proposal No. 1, to step forward and introduce the proposal.

John R. Davis (Oregon State University): Proposal No. 1 is intended essentially to provide that each division which from now on proposes an amendment to the division membership criteria in Bylaw 10 will specify when that new criteria should become effective.

Since most of the membership now has been in a divisional structure for nine years and Divisions I-A and I-AA have been existent for four years, most institutions should now be in a position of meeting the criteria and should be, therefore, willing to concentrate on criteria that are more desirable than those that exist and the compliance period that the division feels is appropriate.

The immediate purpose of this amendment, relative to the policy of this meeting, is to provide the Association with the ability to effectively reorganize Division I Football at this Convention. It is necessary for some of the actions to take place within a reasonable period of time, but it provides each division with a much more effective process through which it can act upon its membership criteria in the future.

Currently, if you read what is there now, any amendment to Bylaw 10, membership criteria, can become effective only after two years and eight months, from the time it is adopted in the Convention until the effective date the following September 1. The current legislation requires a compliance period of two years beyond that. So we run two years and eight months before a change in membership criteria can be adopted. So the result is adopting a change in the criteria in a timely manner.

So that there is no question about the difference between an effective date and the compliance date, the former is the date which was September 1 following the Convention where amendments for Bylaw 10 were made, when the legislation becomes effective and subsequent to which any institution applying for membership must meet those criteria.

The compliance date is the date on which current members of the division must meet the requirements of the new legislation. So this

would provide an opportunity for members in a given division to establish an effective date of September 1 following the adoption of any length it wishes.

We think this would be an advantage to the Association.

Daniel G. Gibbens (University of Oklahoma): Would the earliest effective date for any legislation passed at the special Convention to restructure divisions, the earliest that that restructuring could take place be September 1, 1982? Is that correct?

Mr. Davis: That is correct, Dan. The amendment to Bylaw 10 should be effective September 1 following adoption, which would be September 1, 1982, or subsequent to September 1, as the current legislation now reads. For any of the measures proposed for membership criteria, Amendment 4 or 5, the earliest that that could affect any of the existing members is September 1, 1984.

Secretary-Treasurer Toner: Does that answer your question, Mr. Gibbens?

Mr. Gibbens: Yes.

Secretary-Treasurer Toner: Any other questions on Proposal No. 1? Then we will move right on to Proposal No. 2.

Carl C. James (Big Eight Conference): I have one question in regard to what he just said about September 1, 1984. The Big Eight Conference submitted a proposal to the NCAA affecting this legislative proposal with no compliance period, and we were informed that the NCAA proposal was identical to the Big Eight proposal. I have been led to believe that, unless the newly organized group of people extends the compliance period beyond September 1, 1982, that September 1, 1982, is the compliance date, regardless of the new criteria.

Secretary-Treasurer Toner: Would you care to speak to that, Jack?

Mr. Davis: Carl, the purpose of the amendment is to provide a period of compliance any time the membership wishes it to extend to after membership criteria in Bylaw 10 have been changed. What this does is to provide for an option of an effective date and a compliance period that that division membership wishes, and it can be reduced to either September 1 following the Convention or whatever period afterward.

Mr. James: That answers the question, as long as it can be September 1, 1982.

Mr. Davis: Yes. That is what the purpose of this is, Carl.

Mr. James: I don't want to get confused with the fact that you could extend it to 1984.

Mr. Davis: The purpose of this is not to have an automatic compliance period at all. This is to leave that to the discretion of the membership of the division.

Secretary-Treasurer Toner: I think it is fair to say, however, that this motion, if successful and passed, would permit anyone who submits an amendment to place with it the effective date that the maker of the motion feels is most appropriate for implementation.

Charles M. Neinas (College Football Association): In the interest of

time, I will discuss Proposal Nos. 2 and 3, inasmuch as they are to introduce a new concept, called Division IV.

Division IV, in the belief of the sponsors, is a concept that is simple, understandable and would provide for a meaningful restructuring. Basically, what does Division IV accomplish?

One, it allows for reorganization of the NCAA without altering and disturbing the current criteria for Divisions I and I-AA membership.

Two, Division IV becomes effective immediately. If the resolution, which is Proposal No. 3 is adopted, those qualifying for Division IV would vote on the membership criteria at the NCAA Convention in January 1982.

Three, it would allow Division IV members to act on matters related to all sports and not just football. For example, Division IV could establish its own eligibility rules.

Four, Division IV members would continue to compete in Division I championship events.

Five, the Division IV membership would act exclusively in such matters as football television, without being subject to rescission by the NCAA membership.

Six, the question has been raised about upward mobility. Not appearing in the December program, but appearing in the January program, is an amendment which describes the criteria for Division IV. Item 6 in that criteria reads as follows: "If an institution fails to meet the criteria set out in subparagraphs 2, 3 and 4, it may become a member of Division IV if it can establish that it has made a significant commitment to its intercollegiate football program and if its application for membership in Division IV is approved by at least two-thirds of the members of Division IV.

That is meant to take care of extenuating circumstances. For example, Southern Mississippi had to play on the road for a couple of years because they are in the process of constructing a football stadium. Obviously they could attain no home attendance.

There are also institutions in the process of upgrading their football programs which could meet the scheduling criteria in, say, two or three years, but could not meet it immediately because of previous scheduling commitments. So there is an opportunity for institutions to be voted into Division IV, although they may not meet all of the criteria.

The point has been raised as to the reference in the resolution to the Division IV membership conforming to certain bylaws until 1983. Let me explain that.

If Division IV is created in January of 1982, obviously there would be no opportunity for the Division IV members to review those areas of legislation in which the divisions have the prerogative of voting separately. Therefore, during that period of time and until the 1983 Convention, the Division IV membership would abide by the bylaws currently in effect for Division I.

There are other proposals related to Division IV relative to the Council and Executive Committee and other committee structures. Those are Proposal Nos. 21, 22 and 23. They will be addressed later.

It is our estimate that there would be approximately 80 to 85 universities that would qualify for Division IV membership.

Secretary-Treasurer Toner: Any questions? One note from the chair. Of course, if No. 2 is defeated, No. 3 will be moot.

Mr. Neinas: We may challenge the ruling of the chair on that matter, in view of the fact that Proposal No. 2 and Proposal No. 3 are voted upon by different audiences.

Secretary-Treasurer Toner: Any other questions? Then we will hear from the Big Eight Conference on Proposal No. 4.

Carl C. James (Big Eight Conference): Proposal No. 4's intent, I think, is very clear. The language of the criteria has been before you more than 3½ years, as Jack Davis indicated. However, I would like to take just a moment to explain the conference's intent in submitting the proposal to you.

On September 2, 1981, the Big Eight Conference, at a meeting in Kansas City, was told by an NCAA representative that the NCAA's Special Committee on Governance would be presenting recommendations to the NCAA Council in October, much as President Frank outlined to you this morning.

The Big Eight looked at those recommendations; and it clearly indicated, again as President Frank said this morning, that the NCAA subcommittee had determined that the 1978 Division I reorganization plan had not worked as intended and that the subcommittee recommended legislation be developed to delete the 12-sport option set forth in Bylaw 10-1(e)-(5). The Big Eight Conference, to ensure that this special meeting would have an opportunity to vote on this issue, submitted Proposal No. 4, which is really not a Big Eight proposal but the NCAA Council's proposal of the 72nd annual Convention held in 1978.

This proposal, then, is essentially the same language which was approved by Division I in January of 1978, with the elimination of the 12-sport amendment. I might add that the Big Eight has submitted an amendment to Proposal No. 4, which will also reflect the present NCAA Council's concern for waiver opportunities. So, tomorrow morning, what you will have in front of you in Proposal No. 4 will not be a Big Eight proposal but a proposal that combines the work, the study, the writing and the rewriting and dedication of two NCAA Councils. It is one that is a meaningful, workable plan for the reorganization of Division I-A Football.

Secretary-Treasurer Toner: Are there any questions? All right. Then we will move right on to Proposal No. 5, which is a Council proposal. The presenter is Dick Perry.

Richard H. Perry (University of Southern California): As was indicated, this is a Council proposal resulting from the work of our Special Committee on Governance. It is the feeling of the committee that it is the most balanced and reasonable approach of the different approaches before you today. The amendment essentially does three things.

First, it deletes the 12-sport option, which we feel has nothing to do

with the commitment to a major football program.

Second, it continues to provide flexibility by offering the stadium-size and attendance option, rather than requiring both. If you have a 30,000-seat stadium, you have to average 17,000 in home attendance at least one year out of four. If you don't have a 30,000-seat stadium, you can still be in Division I-A by averaging 17,000 in home attendance over a four-year period. We feel this offers some opportunity, some hope for institutions that cannot or do not have access to a 30,000-seat stadium. The proposal would not change this but would continue it.

Third, it offers a package of exceptions, in the interest of fairness, to as many institutions as possible. We believe these exceptions should be adopted as a package because we believe each offers some hope for emerging or growing programs in the years ahead. We do not believe in creating a lockout situation for all time. We feel that there must be some fairness in the alternatives available to our member institutions.

The exceptions would, first, permit a member of a conference to retain Division I-A status if it failed to meet the home-attendance requirement but more than half of the football-playing members of the conference did meet the criteria. So there must be at least six football playing members in the conference that meet the criteria.

Second, it would permit an institution to retain Division I-A status if it does not meet the appropriate home-attendance criteria, one year or four years, but does average 20,000 in paid attendance for all of its games, at home and away, for the appropriate period. We feel this is an extremely important alternative for the future, and we strongly urge your support. It won't affect a lot of institutions right away, but it does hold out some promise for them as their programs grow.

Third, it would establish a waiver process in which an institution that does not meet the criteria or the exception provisions could seek a waiver of the appropriate criteria from the membership of Division I-A Football by following the procedure outlined in the proposal. This creates three ways that an institution with an emerging or growing program might achieve Division I-A status. We feel it is fair and offers hope for the future and yet does reduce the size of Division I-A Football by 40 or more institutions, reducing it to fewer than 100 institutions, which was intended by the football reorganization of 1978. We feel it is a meaningful reduction but a reasonable one, and we would urge your support.

Secretary-Treasurer Toner: Any questions? It should be noted that if Proposal No. 4 is adopted, part of Proposal No. 5, down to the bold-faced type, would be moot; and, of course, there may be further parts of No. 5 mooted if the amendments to Proposal No. 4 are adopted.

Dick, once again, would you take us through No. 6?

Mr. Perry: Proposal No. 6 is very closely aligned with No. 5 in that it establishes the process for the waiver opportunity. In order to establish protection, Division I Football members, in the event that it is established, would actually have no opportunity to appeal this if they don't put this through. However, no amendment to the actual membership criteria in Bylaw 10 would be effective until September 1, 1982.

We assume that some institutions may wish to take advantage of a waiver opportunity at the Convention coming up in January. If they think they can receive a waiver, they should have that opportunity. Otherwise, they will have to be reclassified in Division I-AA for the 1982 season; and they would have to stay in that classification for three years under the provision of Bylaw 9-4-(a).

So all No. 6 does is to create a temporary, one-time waiver opportunity for the 1982 NCAA Convention, so that any institution that thinks it can get a waiver can attempt to escape reclassification. Any waiver granted in January could only be for one year, and any institution wanting to try this approach in January would have to follow the procedure set forth in Proposal No. 6.

Seaver Peters (Dartmouth College): Just a point of clarification. What if you are a member of a conference that doesn't meet the criteria which might well be passed today, the conference elects en masse to go or is told to go I-AA, what vehicle can I use to get back to I-A? I am just unclear on that.

Mr. Perry: You would exercise the option in No. 6, which provides the opportunity for a waiver if you don't meet the criteria. You then would have the opportunity to present your case to the membership of Division I-A at the Convention for their consideration.

Mr. Peters: That is the only vehicle, as I understand it.

Mr. Perry: I think that is correct. Yes, sir.

Secretary-Treasurer Toner: It should be noted that No. 6 could be made moot if No. 5 were divided and that which is numbered 6 in Proposal 5 were defeated. To be a little more specific, if that very top paragraph on page 17, paragraph (6) were defeated from Proposal No. 5, then Proposal No. 6 would be moot.

Now we move on to the Ivy League proposal. Mike Slive is the presenter.

Michael L. Slive (Cornell University): The Ivy League withdraws Proposal No. 7.

Secretary-Treasurer Toner: Proposal No. 8 is a Council proposal. The presenter is Andrew Mooradian.

Andrew T. Mooradian (University of New Hampshire): This amendment would permit an institution, in moving from I-A to I-AA, time to comply with the criteria of I-AA. For a year they would not be eligible for the I-AA championship, but they could still take part in television programs.

Secretary-Treasurer Toner: It should be noted that No. 8 is moot if No. 4 and No. 5 are defeated.

Moving on to Proposal No. 9, the presenter is Tom Morgan.

L. O. Morgan (University of Texas, Austin): I would like to say two things about Proposal No. 9, which I believe is very clear from the reading of it in the program.

You are all aware that there are two court cases on which preliminary hearings have been held. One is in the Federal court in Oklahoma City. The second in the state court in Austin, which was appealed to the

Federal court, but which now has been remanded to the state court, on which hearings will be held in the future.

In both, the lawyers for the NCAA have insisted that at this special Convention there would be consideration of restructuring matters as well as matters related to property rights, especially as they pertain to television.

Now it is my understanding that the chair intends to rule this proposal out of order for this particular Convention but in order for the regular Convention in Houston in 1982.

I would like to say that we will challenge that ruling on the floor when it comes up tomorrow. We believe that the question of property rights issues is one of critical importance to the whole concept of restructuring, to settle who it is that has the property rights for certain kinds of things before we can make a real decision as to what kind of restructuring is proper and to the point.

We became members of the NCAA a number of years ago, 75 years ago. We had no understanding that this was to be an issue. It seems a little unfair that we now would have to give up membership if we insist on our rights in this particular matter.

I would like to make it clear that this is not, as many of you have interpreted, a CFA matter. We consider it specifically an institutional matter, and in this we are joined by a number of colleagues from other institutions.

Proposal No. 9 comes directly in conflict with Proposal No. 47 in the 1982 Convention; and I would ask you, if you have not done so, to read very carefully what the provisions in Proposal No. 47 say. It is a reiteration, in many respects, of the official interpretation which appeared last spring and to which Proposal No. 9, as far as our purpose in this particular Convention, is addressed.

We ask your serious consideration for Proposal No. 9 and ask you to consider it in terms of what appears in the official interpretation and especially in regard to what you will be confronted with in regard to football television and all other forms of television broadcasting in Proposal No. 47 in January.

Secretary-Treasurer Toner: It should be noted that the chair will rule this amendment out of order for this Convention at the appropriate time tomorrow.

Charley Scott (University of Alabama): I wonder if Mr. Morgan could define property rights for us.

Mr. Morgan: If I may quote from *Corpus Juris Secundum*, American Jurisprudence Second, a well-known legal document and legal reference: "Since property in its strict legal sense does not mean the physical object itself, but, rather, certain rights over the physical objects, it is necessary to look beyond the physical object for the true definition of the word, and, thus, in terms of rights, interest, dominion or domination. Property is defined as meaning the exclusive right to possess, enjoy and dispose of the thing in such manner as is not inconsistent with the law of the land. That dominion or indefinite right of use and enjoyment and disposition which one may lawfully exercise over particular things,

objects, or subjects, animate or inanimate, in general to the exclusion of all others and without control or diminution save only by the laws of the land. The right in interest or domination which is rightfully and lawfully obtained over the physical or material object with the unrestricted right to its use and enjoyment and disposition, either limited or unlimited in duration."

I can continue if you wish.

Secretary-Treasurer Toner: I think we get the point.

Mr. Morgan: Property, briefly, is also defined as "that sole and despotic dominion which one claims or exercises over the external things of the world to the total exclusion of the rights of any other individual in the universe."

Mr. Scott: May I ask him another question? Is a right to determine the number of coaches that an institution may have a property right?

Mr. Morgan: No.

Mr. Scott: In section (b) of Proposal 9, my perception is that if this item passes and the NCAA develops a football television program, the University of Alabama may take its football games and place them in television wherever someone is willing to pay for them. Is that correct?

Mr. Morgan: If it so chose. Yes.

Mr. Scott: Thank you.

Secretary-Treasurer Toner: Now we will move to Proposal No. 10. Mr. Scott is at the microphone.

Charley Scott (University of Alabama): I am a member of the NCAA Committee on Governance, Organization and Services, a member of the subcommittee on restructuring and former member and chairman of the College Football Association television committee. I don't know if any of those things makes me qualified to talk about television, but someone told me yesterday that this particular amendment is generally known as the Charley Scott Amendment. I suppose that came from some of my efforts to get some of the conditions in it as they are.

It is going to take me a little longer than some of the others to talk about this because there are a number of things involved in this particular resolution. The resolution was built up in full accord with the NCAA constitution; and, therefore, it is in order to be considered. You can compare it to the requirements in the constitution with this proposal and reason that out.

Let's look at the content of the resolution. In the first resolve there are three items. The first one, skipping over the "whereas," says, "That the Council shall submit legislation at the Convention to amend the bylaws so that Division I Football, Division II and Division III each shall determine its own football television policies," and you can read the rest of it.

We can interpret that statement "at the Convention" now to signify at the 1982 annual Convention. That submission is a fact through the Proposal 47, which has been mentioned, on pages 27 to 29 of the 1982 Convention Official Program.

Proposal No. 10 will be voted on during the business session on January 12 or 13, a little more than a month from today. It can be amended within the policies and procedures for order within the Association. It is to be noted that rejection of the constitutional part of that Proposal 47 will remove from the NCAA constitution and bylaws any reference to football television; and, as I view it, it is tantamount to removal of all controls on football television.

The NCAA Council has already met the conditions of this item, whether you approve the resolution tomorrow or not.

The second item is related, and I can speak to it in the same manner. The Football Television Committee will be organized on a divisional basis, and each division may be autonomous in determining the recommendations that it may wish to make to the respective divisions pertaining to television football policies. The NCAA Council has met that condition through Proposal No. 47 again, so my previous statements apply here.

The third item states the Football Television Committee may conduct a series of seminars, workshops and so forth. This item is permissive. It is not mandatory. One may consider the intent to be highly desirable. However, several chief executive officers at the September meeting of the chief executive officers thought that it would be highly desirable.

Some activity in this direction has already taken place. What this item says to the committee is, "Go out into the hinterlands and inform the people, talk to the people, listen to the people and make your decisions on the basis of what they say to you. Educate them on the problems and issues. Get eyeball to eyeball with the people." The notion is good advice. It is permissive, appropriately, because as intelligent as I am and you are, we do not know, nor can we predict, the conditions in the future.

Then we move on to the second resolve, and this resolve calls for the Football Television Committee to go back to ABC and CBS to renegotiate the 1982-85 football television contract within certain areas.

One can only speculate that the networks will accept renegotiation. There are some critical phrases listed in that resolve that we might examine.

First, is the section consistent with the stated objectives of the NCAA television football principles? We have to recognize the contracts are developed between parties with principles established before they began the discussion. Contracts have two parties which must work together in full faith and accord. So the whole idea is being consistent.

Second, the Football Television Committee—what does that refer to? A Football Television Committee exists within the NCAA legislative Proposal 47 of the 1982 Official Notice, and it contains a redefinition of this television committee. That redefinition, restructuring of that committee, is designated to take place immediately on the close of the 1982 Convention.

If that item passes, the Council, in its post-Convention meeting, the

last day of the meeting, will formulate the new committee in accord with the provisions of that item.

Past tradition within the NCAA has been to accommodate the existing members of committees into a reorganized committee insofar as possible. Accordingly, the renegotiations that occur after that 1982 Convention will be done by the restructured committee.

Third, there is a phrase, "to the extent that such renegotiation is practical and feasible." I remind you that the legislation calls for renegotiation. Time frames do not exist for reopening the whole process.

One responsible official of a network other than those with whom the contracts or arrangements exist spoke publicly recently and stated that it took 12 to 18 months to put together a program of this type. So the resolve calls for discussion to the extent possible on a mutual basis.

The items specifically identified for renegotiation are, first, one provision for retention of two principles previously established for football television opportunities for member institutions in Division I-AA. Those two are minimum guarantees of two appearances for each allied football-playing conference each two years, and, second, minimum guarantee of .286 appearances per institution in each two-year period.

Parenthetically, those two guarantees have been exceeded in the 1978-81 concept. Instead of an average of 11 appearances, the minimum guarantee, there has been an average of 18 appearances, with 21 in the first two years and 15 in the second two years. Those decisions were made by the networks in terms of the games which they wanted to show.

Irrespective of the decision of the networks, however, the minimum guarantees will continue. Accordingly, if restructuring occurs in the way to affect the membership of I-AA, this area will be renegotiated just as it was in 1978.

A second area of renegotiation is consideration of the number of different teams of Division I-A that will appear by requirements in the 1982-85 contract and of the desirability of increasing the flexibility of institutional appearances. These two conditions are linked, necessarily.

If an institution is provided a greater number of appearance opportunities, another institution must have fewer opportunities. As currently envisioned, 115 institutions will have an appearance in each of the two-year periods. If any reorganization takes place, adjustment will be in order from both the network's standpoint and from the members' standpoint. Accordingly, it is appropriate that this area should be reviewed.

The third area of consideration is providing greater flexibility for a member institution to provide television of its games in markets local to the institution. This is an extremely complex area, though it seems simple to some of us. Quite naturally, last Saturday many in Oklahoma would have preferred to be able to see Oklahoma play Oklahoma State instead of watching Alabama play Auburn. We hope our game was exciting.

Nevertheless, the lack of that opportunity in Oklahoma most likely increased the interest in attending that game. A quick response will be that more revenue could have been gained from the game in Oklahoma if revenues suggested by local television markets could be gained for them, but is that the case? Do we have a currently inflated market value because the item is unavailable? Are we sure that filling the local market will sustain the currently mentioned potential revenue? Does the experiment at Ohio State confirm the revenue availability? Do we have an unlimited clientele of viewers for both the stadiums and the television set?

I think we may have a situation in which we do not have all of the knowledge at hand. Some of us project, for example, that the differences in the ratings of professional teams on Sunday and college football on Saturday may be related to the fact that there may be a reasonably fixed total set of viewers. On Saturday, we give them more stadiums in which they can satisfy their entertainment desires and thereby reduce the viewing part of the audience. I am sure there are other factors; and, as I said, it is a complex issue that some of us often try to make simple.

Moving to the third and final resolve, through principles appropriately adopted within the NCAA framework, work has been underway to develop a supplemental television series related to cable and over-the-air pay TV. Because of the rapidly developing technology, some of us believe that long-term contracts in this area should not exist. Accordingly, this resolve limits such a contract to two years. I understand that, irrespective of your action on this resolve tomorrow, the Television Committee has already adopted this principle for its work.

Now, most of my discussion of this item has been factual to the extent that I know and understand the facts. As we move to discuss questions about this item, which you may have, we have a number of experts in various areas of these resolves with more facts and understanding than I have.

In August 1980, some of us sent a questionnaire to member institutions of the College Football Association. We asked that that questionnaire be answered to the extent that the individual response represented the thinking of the institution. Since I was chair of that committee at that time, I tried to see to it that the results provided the committee guidelines for its work. A number of factors, highly personal to me, caused me to believe that they did work.

As I thought what I might say to you today, I recalled the results from that questionnaire. These are they:

Keep the appearance limits the same. Overwhelming, 70 to 3. I am relating these in percentages, not in number of institutions. As I recall, the results constituted about 94 or 95 percent of the member institutions.

Two, examine a two-network approach. Again, overwhelming, 79 to 21.

Three, submit the TV plans to a referendum of football-playing institutions only. Overwhelming, 91 to 9.

Four, submit the television plans to Division I only, 57 to 43 in favor; and, mind you, we are talking about Division I-A member institutions voting on it and saying, 57-43, to submit the plans to the division members only.

Submit the plans to Division I-A only, 32 to 68; and, again, I remind you those are Division I-A members.

Continue existing cable controls, 50-50.

Experiment with expansion of cable activity; 34 said do that.

Eliminate mandatory telecasts of nonfootball activities. These are championships in soccer or lacrosse or some other things that were added into the football television plan; 27 of 100 said eliminate that.

Retain the mandatory telecasts of nonfootball activities but not at the expense of football. So that a combination of those related to the telecasts of '81.

Finally, support the development of a CFA proposal; 47 support it, 53 undecided or negative. Of the 53, 34 were undecided and may have wanted to see the proposal before acting.

The first nine of those relate to NCAA activities. It is my observation, and this is why I went through that listing, that if Proposal 10 passes, all nine of those items that the CFA members wanted will have been accomplished. Mind you, these results were obtained in late 1980 and were presented to the NCAA Television Committee at the direction of the CFA board of directors in the spring of 1981. The committee apparently responded to what the CFA members said they wanted.

So one exception relates to the first two, which really contradict themselves somewhat. The first one was to keep the appearance limits the same, but the second one said to look at a two-network arrangement. And those two items contradict to some extent. To expand to two networks while maintaining a quality program implies expansion of television appearance opportunities.

Daniel G. Gibbens (University of Oklahoma): Three questions, please, Charley; and maybe I ought to ask them one at a time.

My understanding is that, consistent with No. 10, it is possible that the current contract which the NCAA instituted with CBS and ABC should be left in place. Is that correct?

Mr. Scott: That is correct. This calls for renegotiation, but as I pointed out, it is speculative as to whether the networks will be interested in renegotiation and, if they are, whether there can be any mutually agreeable ground.

Mr. Gibbens: It is correct, as I understand it, that both networks have signed a contract with the NCAA at this time.

Mr. Scott: It is my understanding that CBS has signed a contract and that the NCAA has an agreement with ABC. The final contract has been drafted; and copies are being reviewed to be signed momentarily and may be signed by now, because the lawyers were meeting today.

Mr. Gibbens: Second question is, looking forward to NCAA annual Convention Proposal No. 47, which as I understand it is what No. 10

leads directly to, No. 10 focuses on a division-by-division approval of television plans. As I understand No. 47, there is some of that in No. 47 that will implement the No. 10 resolution. There is one part of No. 47 that I am not sure is consistent with that. I know that this gets into a different document; but, as I understand it, the best way to understand No. 10 is to take a close look at No. 47. What I am referring to is the paragraph numbered 7 on page 29 of the annual Convention booklet. The beginning language of that particular subsection is "The committee," which refers to the NCAA Television Committee, "shall act as one body for the formulation of football television principles which may be applicable to all divisions and for adoption and administration of the Association's football television principles and plan, but representatives from the respective divisions (Division I and combined Divisions II and III) shall be responsible for the formulation of the football television principles and plan provisions which may be applicable solely to their respective divisions."

It is unclear to me as to what portions of television programming will be subject to divisional control as distinct from control of the entire membership, if you will, by virtue of the single Television Committee. Could you talk a little bit about that?

Mr. Scott: That, Dan, is one item I have not been privy to as far as the Council is concerned. So what I say comes from Charley Scott and not from an interpretation that the Council may have made.

My reading of it indicates to me that the same procedure will exist afterwards as exists now, but it will be on a division basis. As you know, now the Television Committee develops some principles; and they are presented to the membership for ratification. That locks them into those principles and guidelines. If the Television Committee wants to get outside those guidelines, it has got to go back to the membership.

Now I substitute in my own thinking in that process for the membership, divisional membership, Division I-A, Division I, Division II, Division III as substituted for the whole membership; so there could be different principles by division.

Now that is Charley Scott and not the Council.

Mr. Gibbens: I would like to think that it means what Charley Scott says. I am just curious if there is anyone else who could speak to that.

Secretary-Treasurer Toner: Mr. Wiles Hallock, chair of the committee.

Wiles Hallock (Pacific-10 Conference): Dan, I think what Charley said is essentially correct. It is certainly the intention that the divisional representatives, which you will note in Proposition 47 are increased on the total committee, will autonomously develop what plan their division wishes to develop and make a part of the total television plan. But the voting will be by division on Divisions I, II and III and the divisional representatives on the committee will, of themselves, develop the plan for their division. Maybe that is not the point.

Mr. Gibbens: Wiles, it is partially responsive. But looking at that first sentence again, I am curious as to what sort of decision that first

sentence applies to where it indicates that the committee "shall act as one body for the formulation of football television principles which may be applicable to all divisions and for the adoption and administration of the Association's football television plan." I am curious as to what that unitary treatment makes reference to.

Mr. Hallock: The action of the committee as one body, as I read the legislation and as intended in the resolution, can only be made after each division, as represented by its members on the committee, has determined what its division wishes to have in the television plan. The body is one body which will act, but it is obligated to include those proposals which each of the divisions develop.

Mr. Scott: I would like to help with this and see if I can get across what I understand.

The first part of the sentence says to me that there may be some principles that are applicable to all divisions. It says "football television principles which may be applicable to all divisions." The body acting as a whole would formulate those. But it goes on and says "but representatives from the respective divisions . . . shall be responsible for . . . provisions which may be applicable solely to their respective divisions."

So I see some principles that would apply across the board, the whole body, as it says in the first part; but where there are differences that the divisions want, the respective divisional members will adopt those principles.

Secretary-Treasurer Toner: I think we better direct questions up to the chair. Continue, if you wish.

Mr. Gibbens: I want to follow up with one further question, and this is to try to get one concrete example. The appearance limit has been a matter of interest and controversy, and I am not sure there is any agreement as to what proper appearance limitations should be. But I am curious if No. 47 establishes the proposition that those will be set on an NCAA-wide basis or, in the alternative, they would be decided on a divisional basis.

Mr. Scott: I don't see No. 47 seeing specific cases of that type. I could see how that would be, that one could be decided both ways. The three or four or whatever representative groups may agree that four is a correct number or an appropriate number; and, therefore, it becomes a committee-wide decision.

On the other hand, they may not agree. The Division II members may decide on two and the Division I members on four; and, in that case, it fits in the second part of the sentence, as I read it.

Secretary-Treasurer Toner: I believe we ought to end discussion on this point and come right back to it as the first subject to be discussed after we get through the 23 amendments.

Albert M. Witte (University of Arkansas, Fayetteville): I would like to ask a question, if I may, on this particular subject. It will be a very short one.

Secretary-Treasurer Toner: If it is for clarification purposes, fine.

If the same thing is on the mind of you two gentlemen there, we will accept your questions now.

Mr. Witte: Again, it is a question about the division structure in terms of Resolution No. 10 and Proposal No. 47, and it may be that I am unable to understand what seems to be an ambiguity. I would like to have it clarified.

Resolution 10, in the paragraph numbered 1, refers to Division I football and in parentheses says "i.e., I-A and I-AA." I read that sentence to mean that basically there would be four divisions, two in Division I and so on. In looking at No. 47, there is a reference to simply Division I and combined Divisions II and III that could be read to mean to be only three plans.

Secretary-Treasurer Toner: I believe your reference to No. 10, paragraph 1, is understood to mean a Division I football-playing institution plan, combining both I-A and I-AA, a Division I plan.

Mr. Witte: It would not be a Division I-A plan or Division I-AA plan?

Secretary-Treasurer Toner: A Division I plan. Any other questions or clarification?

Warren Casun (University of Florida): This is my first appearance in an NCAA Convention; so, therefore, I am not familiar with the bylaws. Referring to the same paragraph this gentleman did, first resolve clause of No. 10, I would like to ask what effect the last clause at the bottom of that paragraph says in the event Division I would do one thing, but Division II and/or III overruled or rescinded that vote by the applicable rescision provision of the bylaws.

Secretary-Treasurer Toner: Division II or III can rescind any vote voted in by another division, or they could move to rescind and the whole body would vote on it.

Mr. Casun: If Division I adopted a television package, by vote of II and III that could be rescinded?

Secretary-Treasurer Toner: No. It could be moved that it be rescinded; but the vote would be from the whole body, Divisions I, II and III.

Mr. Casun: In a common vote of all the divisions. Okay.

Ronald M. Brown (University of Texas, Austin): However one reads it, it seems to me Proposal 10 and its successors all deal with some assumptions that somebody has a property and somebody has some rights to dispose of it. My question is, why is it proposed that these are in order for discussion at this meeting whereas Proposal 9 is not?

Secretary-Treasurer Toner: Proposal 9, of course, is a constitutional amendment; and these resolutions are resolutions that tie to appropriate amendments that are tied to the January Convention.

Mr. Brown: Had we proposed this as an amendment, we would have been on the agenda?

Secretary-Treasurer Toner: I think so.

Mr. Brown: On Resolution 10, to Charley Scott, which I think he can answer yes or no, he has alluded to the renegotiation with ABC and CBS; and one can only speculate that the networks would accept renegotiation. It is difficult for me to believe that ABC or CBS has not seen Resolution 10 and has not reacted to it. If so, is it practical and feasible for them to, within the time frame that Charley talked about, renegotiate the appearances and teams for 1982?

Mr. Scott: I put in that statement to keep from getting too positive. There are parts in here that will have to be renegotiated if restructuring takes place, because of the potential changes of the number of teams. So, on that score, I think there will have to be some renegotiation. The extent of that renegotiation is the thing that is speculative. I am not aware that they have reacted to it.

Secretary-Treasurer Toner: I believe the question has been answered; and, if we come back to this amendment or this Resolution 10, we can include that in the discussion as well as the last paragraph.

Gene McDonald (Duke University): I would like to ask one minor question for clarification on Proposal No. 10, if I may. Same question would pertain to Proposals 12 and 13 as well. But Proposal 10, in subpart 3 of resolution 2, refers to and urges the Football Television Committee to seek greater flexibility to televise by nonconventional delivery systems.

Is this meant to imply that there are now certain restrictions upon the institutional use of nonconventional delivery systems? And, if that is correct, what are those restrictions and what would be their source?

Mr. Hallock: I think that the restrictions intended are similar to the restrictions in the current plan, which regulate what an individual institution may do under the accepted provisions and include all forms of delivery.

It seems to me that the exclusivity of the networks, which generates the great share of the income to be derived from network television, must be protected against indiscriminate individual use of telecast privileges.

Mr. McDonald: The source of any existing restrictions would be in the television plan itself?

Secretary-Treasurer Toner: Correct. And I think we ought to move right on to the Southern Conference proposal. To present it is Mr. Frank Bonner.

Francis W. Bonner (Furman University): When it became apparent, or at least we thought it became apparent, that the members of the Southern Conference, along with a number of other members of other conferences which are now in Division I-A Football, would be reclassified by this Convention into I-AA, we became concerned that the Television Committee for football appearances would not be reflective of the membership and it would be rearranged between I-A and I-AA. That committee now has one member of the 16 who is from I-AA.

Now, since we proposed this amendment No. 11, we have become aware of No. 47 in the agenda for the January Convention; and,

although I cannot at this moment speak for the conference because we have not discussed that No. 47, it may be that when we discuss it tomorrow morning, we will decide that Proposal No. 47 does meet our requirement or rather our desire for a better representation for I-AA in the reconstituted Television Committee. That is all we have to say at this time.

Secretary-Treasurer Toner: Are there any questions? We will move right on to Pacific-10 Proposal No. 12. Chancellor Young.

Charles E. Young (University of California, Los Angeles): The proposed Resolution No. 12 was born out of the discussion at the special meeting of the Division I chief executive officers in Chicago, September 28 and 29 of this year. It is contingent upon the enactment of reconstitution in accordance with the principle set forth in the NCAA Council proposal. And it has four major purposes.

One is to provide that each division would be enabled to plan and develop a football television plan for that division.

The second is to provide that those members of Division I-AA be provided protection by participation in the development of that division plan and that they be given assurance of continued participation through appearances and revenue sharing in the product of that plan; further, that the relative participation of Division I be expanded to provide for the increased number of members in that division, that is Division I-AA, which would result from reconstitution.

Third, to provide that all members of Division I-A be provided a minimum level of participation in the plans already developed by the renegotiation of the existing contracts with the appropriate networks and, last, to provide greater flexibility for the televising of games to the home markets of the teams involved by either traditional or nontraditional methods.

Now, we believe that the plan proposed by the NCAA Council, that is Proposal No. 10, meets essentially all of the elements of the plan we have set forth, although there are some new answers which we feel are somewhat different, specifically the item that would provide all members of Division I-A a minimum level of participation in the plans already developed, that is, a part of the second clause of the plan which we propose. And we are, therefore, considering seriously withdrawing our proposal in the event that Resolution No. 10 is approved tomorrow.

Secretary-Treasurer Toner: At this point, it should be noted that if No. 10 is adopted, No. 12 would be moot with an exception in those areas that Chancellor Young alluded to, areas 1 and 2 of the second resolve.

Now we will move on to No. 13. Mr. Gibbens is the presenter.

Daniel G. Gibbens (University of Oklahoma): Proposal No. 13, we understand, is very similar to the Pacific-10 Proposal No. 12. It has these different features, and I think that they would be apparent.

First, the Big Eight No. 13 is not contingent upon the Council's restructuring proposal. Obviously, the Big Eight would prefer the package of the Big Eight restructuring proposal; and so this one would

go with another restructuring proposal other than the Council's proposal. Like the Pac-10 proposal, the football-playing members of each division would control their own television arrangements. My understanding is that this is unlike Proposal No. 10, the Council's television proposal. We were not sure that the Pac-10 proposal clearly applied to the television arrangement for the 1982 season. We wished to make that clear, and we thought we did so in No. 13. Division I-AA is included in the processing of television arrangements pursuant to Number 13.

Proposal No. 14, if I may go ahead, is the second Big Eight proposal. It excludes some of the details of No. 13 which we thought perhaps might be difficult and focuses simply on the authorization of the football-playing members of each division to control their own television arrangements. We will offer an amendment to No. 14 which will make it clear that this is applicable to the football television arrangements for the 1982 season and, also, will add some additional details which seemed appropriate to get back in.

The concern that we still have, and this relates to the questions that I asked with respect to Proposal No. 10, is that if either Proposal 13 or Proposal 14 or the amendment to Proposal 14 were passed, and the January Convention passes No. 47, we are not sure that we have done anything by the passage of these resolutions. That is a concern with the possible meaninglessness of the resolution approach to the television issue. This is a way of restating that, in a way, we feel that the position that was stated by the University of Texas earlier with respect to No. 9 deserves careful thought by this Convention.

There is only one proposal dealing with television rights that is before the special Convention that relates in any way to the issues in the lawsuits in Texas and Oklahoma. And I was present in court when the judge was advised by the NCAA attorneys in the lawsuit in Oklahoma that both television and restructuring issues would be addressed by this Convention.

Because No. 9 is the only proposal on the agenda for this special Convention that treats television issues in a way that meets the issues of the lawsuit—and that is the question, whether the NCAA ought to be exclusively in charge of all television for intercollegiate football; it is an exclusivity question—No. 9 ought to be able to be heard or voted on.

Secretary-Treasurer Toner: When we return to Resolution No. 10, we will also allow that connection with No. 9 to be argued at that time.

A couple of notes on Resolution Nos. 13 and 14. As in No. 12, the Pac-10 resolution, No. 13 will be moot except for its Paragraphs 1 and 2, if No. 10 is adopted. It will be entirely moot if No. 12 is voted upon, up or down.

Likewise, No. 14 will be moot if No. 10 is adopted, and then, as amendments to that come in, there might be further ruling from the chair regarding mootness. Similarly, if No. 14 is voted upon as it appears in the book, it would be moot if No. 12 is voted at all, up or down.

If there are no questions, we will go on to No. 15, a Council proposal.

The presenter is Mr. DeLoss Dodds.

DeLoss Dodds (University of Texas, Austin): Proposal No. 15, if adopted, will require all members of Division I to sponsor the same minimum number of sports. The proposal represents a philosophical position taken by the Special Committee on NCAA Governance and the NCAA Council.

It is reasonable and equitable for the members of the same division to be required to sponsor the same minimum number of sports, regardless of whether they sponsor football or basketball. There appears to be little logic in the present requirement that enables an institution that does not offer football in Division I to sponsor only six sports, while an institution which sponsors football in Division I is required to sponsor at least eight sports. The proposal calls for eight sports because that is the present requirement for 187 of the 276 Division I members. Regardless of the base number, we believe it should be the same for all Division I members.

If this proposal is adopted, any current member of Division I not now meeting this criteria would have to sponsor at least eight sports by September 1, 1983.

Secretary-Treasurer Toner: We will move right on to No. 16, a Council proposal. The chair of the Classification Committee, John Coppedge.

John O. Coppedge (U.S. Naval Academy): This is designed to amend Article 10. The intent is to require an applicant for Division I membership in basketball to play not more than two of its regular-season basketball games against nondivision members and require the Division I members or applicants to play at least one-third of their games in the home arena.

There are two goals in this proposal. One is to make the membership in Division I more demanding for the applicant institutions, thereby hopefully slowing the growth of the division, which has increased by some 40 members in the past eight years.

The second is to ensure that each Division I member plays a reasonable number of games in the home arena of the university, thereby assuring its basketball program is oriented to the student body in a college community.

Cecil N. Coleman (Midwestern City Conference): Do I understand this to mean that a conference that now has Division I status will be able to continue to play four games against non-Division I opponents, but a new one coming in will be limited to two? Is that correct?

Secretary-Treasurer Toner: One that has attained Division I status will be limited to two.

Mr. Coppedge: All of the above he stated is correct.

Richard H. Perry (University of Southern California): Isn't there a proviso to that which states that, although the institution meets the two-team requirement, after a two- or three-year period within that division, they then go to the three- or four-team requirement within that division?

Secretary-Treasurer Toner: Once they attain Division I status, they may immediately go to the four.

G. B. Wyness (West Coast Athletic Conference): Is it permissible to call for a divided question on points 1 and 2 on No. 15? Seems to me there may be two definite and specific aspects of that.

Secretary-Treasurer Toner: You may ask for that, and then the Convention decides whether or not you can.

Mr. Wyness: At the appropriate time?

Secretary-Treasurer Toner: Yes. Then we will move on to No. 17, a Council-sponsored amendment; Chuck Samson.

Charles H. Samson (Texas A&M University): Proposal No. 17 relates to Division I automatic qualification that is presently covered under Bylaw 5, Section 7, and the Executive Regulation 2-6. This bylaw now states that, for a conference to be eligible for automatic qualification in basketball, it must be an allied conference which determines a conference champion in at least six sports; and this basketball champion must be determined by either round-robin, in-season conference competition and a postseason tournament or by double round-robin, in-season conference competition.

Now, this amendment proposed by the Council specifies that at least two of the six sports be team sports. The rationale in the Council's proposing this is as follows:

In general, the induction of team sports by an institution requires a greater program commitment than individual sports. It is noted that many individual sports can be maintained with a relatively small number of participants, as few as four or five, whereas team sports require a larger squad.

It seems fair that there would be some minimum standard requirements for conferences that seek automatic qualification, and this proposal would require that such conferences sponsor at least two team-sport championships.

Secretary-Treasurer Toner: We will move right on to No. 18, a Council-sponsored amendment. The presenter is the chair of the Basketball Committee, Dave Gavitt.

David R. Gavitt (Providence College): The intent of No. 18 is to require all conferences to conduct double round-robin conference competition in the regular season, if they are to be considered for automatic qualification in the Division I basketball championship. This would not preclude them from continuing to sponsor a postseason championship to determine automatic qualifiers.

There is a general belief that all conferences seeking automatic qualification should be required to meet the same basic criteria. And as it stands now, playing a single round-robin may give an institution or institutions within a conference some scheduling advantages in comparison with those playing double round-robin. Double round-robin play also represents a greater commitment to competition within the conference, leading to automatic qualification.

Most of the new language treats a situation where you have a larger-than-usual conference, and a conference of 12 or more can break into subdivisions for basketball. Each of those must have at least six members in each, and then you would play double round-robin against the members of your own subdivision and single round-robin against the members of the other subdivision.

Secretary-Treasurer Toner: Move to No. 20, the Big Eight proposal. Commissioner Carl James is the presenter.

Carl C. James (Big Eight Conference): The intent of Proposal No. 20 is very clear. The note at the top of page 27 indicates you intend to rule the amendment out of order, and we reserve the right to appeal this tomorrow.

Secretary-Treasurer Toner: All right. We will proceed to No. 21. Mr. Witte, University of Arkansas.

Albert M. Witte (University of Arkansas, Fayetteville): In the interest of time, I would like to consider the next three proposals, Nos. 21, 22 and 23, since they are all related. All are based on the supposition that Division IV is adopted and are intended to implement that division in that event.

Proposal Number 21. First, may I comment that in paragraph 2 the last sentence, instead of reading, "One of the representatives from each division shall be a woman," should be, "At least one. . . ."

Secondly, the first material change in this proposal would be number 3, "Each division shall be responsible for electing its representative to the Council." First of all, there is no change in the number of Council members, simply a change in the procedure for appointing them, and that is by divisional election. The intention is to make those representatives more directly responsible to their respective constituency.

Similarly with regard to paragraph (iv), "Each division shall be responsible for determining the size and composition of its steering committee, with the understanding that there be specific positions allocated for both men and women." Basically, the intent is to make selection of the steering committee a divisional decision.

Proposal 22 provides that, in the event that there is a Division IV, it will have three members on the Executive Committee.

Proposal 23 basically incorporates the procedure used by the College Football Association for committee appointment, which is to have the conferences and the independents nominate their own members of the committee. Again, the philosophy is to make them more responsive. It also establishes two Division IV committees which are of particular interest to the members of such a division, one for football television and one for postseason football.

Secretary-Treasurer Toner: To complete this initial exercise in the round table, is there anyone present who has submitted an amendment to an amendment who would care to get up and explain the amendment to an amendment and then ask if there are any clarifying questions? We welcome them at this time.

I understand there are two on No. 4. There is a request that the two amendments to the Amendment No. 4 be explained.

Would the proposer of the amendment care to do that?

Wiles Hallock (Pacific-10 Conference): The Pacific-10 Conference has submitted an amendment to Proposal No. 4, which is identical to the wording of item (5)-(ii) in Proposal No. 5. The amendment would, therefore, read that an institution that fails to meet the home-attendance requirements in subparagraph 3 or 4 may retain Division I-A Football classification if it has earned 20,000 in paid attendance for all of its games at home and away for the applicable period. Such an institution must play at least four home games in any year in which it utilizes this provision.

The intent is to simply provide another opportunity by making both home and away attendance a part of the requirement.

Carl C. James (Big Eight Conference): The amendment that you will have before you tomorrow morning for Proposal No. 4 is what we call a waiver to allow upward mobility. It will simply state that an institution that fails to meet the home-attendance requirement in subparagraph 3 may retain Division I-A Football classification if it is a member of an allied conference in which at least six member institutions sponsor football and more than half of the football-playing conference member institutions meet the criterion of the applicable period.

The other subparagraph would read, "If an institution fails to meet the criteria set out in subparagraphs 3 and 4 above, it may become a member of Division I-A if it can establish that it has made a significant commitment to its intercollegiate football program and if its application for membership in Division I-A is approved by at least two-thirds of the members of Division I-A."

Secretary-Treasurer Toner: There is one amendment to the amendment on Proposal No. 7. That is being withdrawn. So we will cancel that. There is an amendment to Proposal No. 14.

Daniel G. Gibbens (University of Oklahoma): Essentially, the amendment would make it clear that this proposal would apply to the 1982 football season; and it would add some additional details which make it similar to the Proposals 12 and 13.

Secretary-Treasurer Toner: There is an amendment to the amendment of Proposal No. 18.

Ernest C. Casale (Temple University): This is a very simple amendment to change the date from 1983 to '84. The obvious reason is that the schedules are complete for '82. The double round-robin would be an impossibility.

Secretary-Treasurer Toner: Any question about any of the amendments?

Unidentified Delegate: Was No. 19 withdrawn?

Secretary-Treasurer Toner: Yes, No. 19 was withdrawn. We should then open the meeting to debate on these issues, and we will go right back to No. 10 if Mr. Gibbens wishes to continue.

Charley Scott (University of Alabama): Could I speak to three things on No. 10 that may answer some of the questions that arose?

The question arose about the rescission provision, and it was indicated that that is possible. I would only remind you that a rescission requires a two-thirds vote. The question was asked about contact with the networks about renegotiation. There has been no contact made.

The question was asked about the relationship in No. 47 regarding common provisions as opposed to provisions to Division I. Some examples of common provisions might be items such as having no television of college games in direct contrast with high school games or conflict with high school games, confining the controlling period, sometime in December or sometime in September, the concept of delayed television, the consent of the opponent to televise the game. Those are some examples that might be common to all divisions.

Secretary-Treasurer Toner: Anything else on Nos. 10 or 9? Then the floor is open for any other discussion.

John B. Davis (Oregon State University): Speaking for the Council, there was a question raised on No. 1 that I may not have answered clearly. I wish to respond to Carl's questions and say that this provision will allow simply for adoption of legislation with any compliance period. There is no compliance period required at all, Carl, in the legislation as proposed, so that if the effective date of a legislation, for example, in Amendment 15, were to be September 1, that is when all of those criteria would have to be effective. So that is a technicality.

The second technicality is one that the Council was concerned about. If, say, Amendment 4 or 5 were to pass, Division I-A institutions that had scheduled other Division I-A institutions might find a problem in scheduling criteria with the other Division I-A institutions or I-AA institutions. We didn't want people to violate contracts. The Council, therefore, adopted an interpretation that would say essentially, and Mr. Toner has the interpretation if you would like to have it read, that would say essentially that any legally binding contracts in writing as of the effective date of the legislation would not affect the way you would count that institution.

In other words, if you had a contract with a Division I-A institution as of the date of the adoption of that legislation, and that institution went to Division I-AA, you would still count that as a Division I-A if you had a contract.

John C. Parry (Brown University): I have a procedural question as it relates to Proposal No. 1 in terms of the effective date being immediate. I guess I would ask for a definition of "immediate" in that the NCAA constitution, as it currently reads, defines that those amendments specified as being immediate shall become effective prior to adjournment of the Convention.

I would project that, therefore, the criteria makes it possible for people to put it forth with an effective date that really can't happen. Until the next meeting, December 1 does not become effective.

John R. Davis (Oregon State University): By saying "immediate," that means that at the close of the Convention that legislation becomes

effective. The legislation says that the criteria cannot be applicable until the following September 1, and that is the reason for Proposal 6.

Proposal No. 5 includes a provision for institutions that wish to stay in I-A to come to the division and request that change or request to stay in I-A. So we have a hiatus of time between now and next fall. Those institutions would be allowed by Amendment 6 to come to the division, as I recall, prior to the next fall football season, and speak in terms of whether they stay in I-A for '82-83 or whether or not they must conform to the criteria for Division I-A or Division I-AA by December 1, 1982.

Mr. Parry: I understand that procedure, and I understand what the purpose of that legislation is. I guess the question, again, is whether one can vote to use immediate effective dates, which Proposal 5 suggests, when in fact Proposal 1, if it passes, is not in effect until Friday when this meeting is over.

Mr. Davis: I am not sure that this is an answer to your question, either, but there could have been an amendment to Amendment 1 to make the effective date later than immediately if you want it to. But that would have been a less restrictive measure. To my knowledge, there were no amendments submitted to Amendment 1 to change the effective date from immediate to another time.

Mr. Parry: I guess the question really could be for the chair or the parliamentarian as to whether or not one can vote to change an effective date, as Amendment 5 suggests, when in fact Amendment 1 is not in effect until after the close of this Convention.

Secretary-Treasurer Toner: Well, the answer to that, I think, is yes. If the proposal is defeated, that which is already in effect as an effective date would be in order. If the proposal passed, that would be in effect on September 1.

Mr. Gibbens: I did want to say another word or two about No. 9. That is one of the two that will be ruled out of order, and we do plan to challenge the ruling of the chair.

I do urge the Convention to be careful about this. The lawsuits are on the minds of us at the Universities of Texas and Georgia and Oklahoma. I think, in both lawsuits, the court very cautiously, and I think wanting to give the NCAA and the special Convention a full opportunity to speak to issues, the court in both cases, certainly in Oklahoma City, was very careful to say that if there was an opportunity to have the special Convention speak to the issues, particularly in terms of whether the NCAA should be exclusively in charge of all football television for colleges, that the court wanted the special Convention to have that opportunity. I suppose it is incumbent upon me to urge the special Convention to let that issue come to a vote.

I do think it is an important idea. There was a question earlier about whether or what No. 9 would do to permit any one institution to write its own television program; and in a sense, that is true, but in a practical way, I suppose it is not. Because any one institution is going to have to have the consent of the other institution it plays in order to have an opportunity to really effectively write its own television program.

The question in our mind is a basic question as to whether one

organization ought to claim for itself the exclusive controls on something like access to media for televised games. We think it is consistent with the approach the NCAA has taken in basketball situations that the NCAA ought not to act to give itself the exclusive rights to all television rights.

It is clear that Proposal No. 47 at the annual Convention will do what has previously not been done and that is make it clear that NCAA does have exclusive control over all television rights.

So, in a sense, No. 47 and No. 9, which will be offered again in January, do state the issue. The only difficulty that I have, honestly, is that of fairness to the court, which I understand expected that this issue would also be treated at this Convention. I ask you that it be considered.

John W. Sawyer (Wake Forest University): If the court expected us to take some action on television, I think I should call attention to the fact that the word television does not appear anywhere in No. 9. Proposal 9 speaks of property rights in general. I was formerly a member of the Infractions Committee; and, during that time, there were several suits against the NCAA based on decisions, penalties passed down by the Infractions Committee and Council.

Almost invariably, one of the claims was that property rights were abridged. Now these property rights were the ability to declare a student eligible, not to have to declare a man ineligible because he had received illegal payments. We had property rights of being able to fire coaches or keep a certain number of coaches. So all types of property rights of that nature have been claimed in court cases; and in the various decisions, all of which the NCAA has won, essentially the court has ruled that these property rights, if they are indeed property rights, have been given by the institutions voluntarily as part of membership in a volunteer organization. This is not exclusive to the NCAA. The American Bar Association, for example, for many years had a provision which would keep attorneys from advertising in the newspaper. If that is not a property right, what is?

There are all kinds of property rights. Without giving up these property rights, then this particular amendment would actually be a restructuring of the NCAA. It would be a destructure. There would be nothing we could do.

L. O. Morgan (University of Texas, Austin): I think it is quite clear why some of the courts evaded it, because they did not define property rights properly. I think one of the things we have attempted to do is make it very clear that there are certain things that are not property rights under that definition and which could not be considered that way.

Secretary-Treasurer Toner: Any other comments? Are there any other issues to be aired right here?

Victor Bubas (Sun Belt Conference): I wanted to ask a couple of questions about No. 15.

Mr. Dodds, if No. 15 were to pass, is the compliance year '82-83 or '83-84?

DeLoss Dodds (University of Texas, Austin): I would like to defer to David Gavitt. The way I have it is '82-83.

Secretary-Treasurer Toner: In September '83, you must have had in place that which is called for and that must be in place the previous year.

Mr. Bubas: You are really talking about the year '82-83, as the compliance year.

Secretary-Treasurer Toner: Yes.

Mr. Bubas: The second question I have is, in the suggestion of the eight-sport issue, we have run into a good number of football-playing institutions that have expressed the desire to have the same number, as opposed to necessarily having eight. Are there mechanics at this Convention or at the one in January that could indeed, by amendment or a separate proposal, take the issue to six for the football-playing institutions, or is that indeed dead until the Convention of 1983, if that were the case?

Secretary-Treasurer Toner: There is an amendment proposed for January, submitted, I believe, by the Ohio Valley Conference, that would reduce the sports sponsorship requirement for Division I-AA to six, from eight. However, if this particular proposal is passed at the Convention tomorrow, that proposal of the Ohio Valley Conference would be out of order in January.

Other than that one proposal, there is no other Division I proposal to change the present eight for football-playing institutions or six for nonfootball-playing institutions of Division I. And, to repeat DeLoss Dodds' statement, that is not the magic that it has. It is just the principle that Division I sports sponsorship should be the same for all members.

If this particular amendment passes, bringing the requirement to eight, the effective period, of course, is September of 1982. However, on that date, each institution that is not in conformance must have in place eight sports to meet the requirement. That would not prevent the membership or parts of the membership from sponsoring legislation to change the number eight at the January 1985 Convention, to whatever number brings about the conference level that is sought. I hope that answers your question, Vic.

Mr. Bubas: I am not sure, but is this the forum by which we would speak to the issues, or are you going to hold all that until tomorrow?

Secretary-Treasurer Toner: You are free to go on.

Mr. Bubas: I would like to speak to this particular issue at this time. I believe that there are many members who are struggling with inflation. I believe that there are many members who are indeed struggling with their priorities and how to put their various sources of revenue to work the best and, in that regard, are looking for the greatest degree of flexibility they can possibly have.

In addition, the state of our economy is such that I think there is a good bit of indecision on where we are going for the future. As all of you will be meeting tonight, I know there are various camps on this, pro and con; but I also know that many of you are looking for the flexibility that

might come about by your having a lesser number of sports than are your obligation.

So for those of you who are doing so, we appeal to you to talk to your colleagues about having a lesser number of sports whether you play football or not, so that we can have the greatest degree of flexibility in planning our programs for the future.

Harry M. Cross (University of Washington): I am forced in my own mind to talk about property rights, since I am teaching property rights. I am happy to see it developing. I say that not entirely facetiously when I tell my constitutional law colleagues that all law is merely branches of property law. Some idea of the spread of the concept of property is reflected in the dissolution of quasi marriages, and mormonizing where a person not married to another has a claim to the property of the other. And that is not idly made, as you all know.

Jack Sawyer is right. The Infractions Committee has been involved in property rights. Arguments have been made that the property rules of the NCAA, including the penalty structure, invaded the property right of the member institution, not only where they made erroneous claims but also where they made a proper claim.

The consequence of that was that those arguments lost not only when they extend to property but beyond, whatever the judge is willing to sanction. When you join an association you inevitably are relieved of some of the rights for the benefit of your participation in the association, whether they are contractual rights or sometimes called personal rights, relationship rights or property rights, however you want to classify. That is inherent in belonging to an organization.

The concept of property is so broad now, if Proposal 9 is adopted, it could lead to the rather soon destruction of the NCAA. I think it is a ridiculous, outrageous proposal.

Dan Offenburger (Creighton University): Back to No. 15. As I understand from what you said, if we defeat No. 15 tomorrow, which will keep it at six sports for Division I, let's say in basketball, then in January the amendment to lower from eight to six for Division I-AA would be in order. Is that correct?

Secretary-Treasurer Toner: Correct.

Mr. Offenburger: So Division I-AA schools could have relief and flexibility.

The other point I would make today is, in recent months, as we have looked at going from four to six, we look at programs of Division I basketball, Division I-AA Football and basketball, and we find our commitment budget-wise exceeds that of some of those with token sports. We have to tear down some quality programs to add token sports. We really need the flexibility that the previous speaker spoke about.

I think many of the Division I-AA schools may need that also. In the case of, say, legislation that would count indoor and outdoor track as one rather than two. I think in this time, with the economic crunch that we all face, there are many reasons that many institutions need flexibility in future planning. For us, particularly, as we go from four to

six over the next two years while maintaining the quality of scholarships in Division I sports for women, we will add three nonscholarship sports. To maintain that quality, we need time but most of all flexibility. I think many, many schools are going to need this.

It seems appropriate to defeat this tomorrow and then in January to lower the Division I-AA minimum to six.

John B. Simpson (Boston University): If Proposal No. 8 is passed tomorrow, this proposal gives the schools in I-A that would be moving to I-AA until 1983-84 to be in compliance. Would No. 80, maximum awards, in the Official Notice of the NCAA Convention in 1982 be ruled out of order, because that proposal is that they move the maximum awards from 75 to 65?

Secretary-Treasurer Toner: You will get your answer back in just a moment. It will take a little time to get you an answer, so we will go on to Dick Perry and come back.

Richard H. Perry (University of Southern California): I would like to respond to the questions and/or the comments with respect to Proposal No. 15. I think certainly our committee labored long and hard to go over the very issues that are being described by the speakers. The conditions you describe are not unique, I think, to those institutions that are nonfootball-playing institutions. Nor are they unique to the Division I-AA football-playing institutions. Without question, those of us that happen to be fortunate enough to play in stadiums that draw 90,000 people and to have an opportunity to participate in a reasonable level of television revenues, even we are struggling. But the people I am concerned about, and I think our committee was concerned about, are those people in Division I-A Football that are drawing 20,000 people, 25,000 people, 17,000 people. They are struggling, and they are identical to those of University of Oklahoma or Nebraska or the rest of us that have to travel throughout the state.

Their cost factors are very much the same, and yet they are required to sponsor eight sports as opposed to six; yet during the basketball season, they are expected to compete on an equitable basis with those institutions in Division I who are only sponsoring six sports and moving the revenues into the basketball program.

It is, I think, the feeling of the committee that that provides an inequitable form of competition for the Division I-A football-playing institutions and certainly we would not quarrel with any movement of the number, one way or the other.

What we quarrel with is that the numbers should be the same in order to provide equitable competition among all the member institutions.

Charles M. Neinas (College Football Association): I rise for a point of clarification on the basis of what Jack Davis said relative to the interpretation which apparently you have in hand. My question relates to the strength-of-schedule test relative to meeting the criteria for Division I-A and how that would be applied. Would you explain that for me, sir?

Secretary-Treasurer Toner: I will try. Anyone whose program is

reclassified to I-AA from I-A, who has a schedule commitment now that qualifies for membership under the existing rule but because of the reclassification to I-AA would put not only itself but others in jeopardy, if they have in hand, at the time this piece of legislation goes into effect, signed and legally supportable contracts in place before the effective date, then they can be honored through the waiver provision provided for. If they do not have such legally enforceable contracts, of course, they would not. Does that answer your question?

Mr. Neinas: To a degree. If I understand correctly, then, if you have a contract which could be for more than one year with various universities that may be reclassified Division I-AA but within Division I at this point in time, then basically it is going to be the attendance criteria which will determine whether you remain in I-A and the strength-of-schedule test basically would not apply?

Secretary-Treasurer Toner: Well, I may have left out one important point that Jim Frank mentions. The effective date will be that date on which the interpretation I have just described would be circularized to the membership. The earliest possible date that could be following this special Convention is December 15 or the next edition of the NCAA News. It is true that, if there are legally enforceable contracts in place, the schedule requirement could qualify one for Division I-A membership in the same manner that any one of the other options could qualify.

Any other questions?

Joseph V. Paterno (Pennsylvania State University): I would like to ask Charley a couple of questions about our position. Charley, would you walk me through this baby one more time because I am still a little confused. As I understand it now, correct me if I am wrong, we would have three different television committees, Division I, II and III, all of which would be part of one NCAA Television Committee.

Mr. Scott: Correct.

Mr. Paterno: All three would have autonomy to a degree?

Mr. Scott: Correct.

Mr. Paterno: The degree has not been determined yet, correct?

Mr. Scott: Correct.

Mr. Paterno: Okay. In Division I, if Division I is in conflict with Divisions II and III, then I would suppose the entire committee would then resolve the problem. Correct?

Mr. Scott: I would think, Joe, that the conflict you are talking about may be on a given principle, so there could be three decisions about that principle, in effect.

Mr. Paterno: That is what bothers me a little bit.

Mr. Scott: As an example, Division I may have, as I said a while ago, four appearances per year. Division II might say no, two is enough for II; and Division III may say one.

Mr. Paterno: Can Division II say two is enough for Division I?

Mr. Scott: No. My understanding, Joe, is that there can be two kinds of principles, principles agreed to by all three subgroups, which then

become principles of the whole group. There can be other principles that are different for each division, and the membership in the division will determine what it wants from that principle.

Mr. Paterno: Don't feel bad if you don't understand it because when I was a kid growing up, I had a hell of a time figuring out what the Trinity was all about, too. This reminds me of it, but I finally came to the conclusion that we had to believe in the Trinity on faith.

One other question I would like to ask you, because I am not quite sure of all the constitutional provisions and the voting procedures in the NCAA.

Suppose now we do come up with a plan and there are some people in the membership who object to the plan and we go to the next Convention or take it to the general Convention, can two-thirds of the entire membership vote it out?

Mr. Scott: You are getting into the recision vote. Yes, the recision vote can take place, but it requires a two-thirds vote to pass.

Secretary-Treasurer Toner: On that, our parliamentarian says that we may do that providing it is a bylaw at the time.

Mr. Paterno: Suppose it is a bylaw at that time. So if 90-some schools, or whatever number we come up with in Division I or I-A or Division IV, whatever it may become, vote for this television package the 800 other schools in the membership do not like, it can be voted out? Is that correct?

Mr. Scott: I would say that is technically correct, Joe; but, at the same time, I would imagine that you would never have that situation.

Mr. Paterno: I just wanted to know if it was possible.

Secretary-Treasurer Toner: Joe, before you leave, I think we should remind everyone that the TV plans that we have had have never, up to this point, not been a part of the bylaws.

Wiles Hallock (Pacific-10 Conference): Joe, you seem to be reluctant to take the efforts of the current Television Committee to develop a plan on faith as it was developed primarily with the help of CFA members and primarily in the interest of Division I-AA; and I think in the future the interests of I-A, because of the composition of the committee, are certainly going to be taken care of in exactly the same way.

Mr. Paterno: Wiles, I have not said anything to the contrary to that. All I have done is ask for information as to what might possibly happen, because I think it is a very important part of this special Convention. We came here with the idea that we were going to restructure, and the background was that we would restructure and have some control over the television rights as they apply to each division.

I want to be very clear as to what we are talking about. I do have a great deal of admiration for Charley Scott and I think most of the time I understand him clearly; but I have not understood him thoroughly today. I just want to assure him he is not 100 percent perfect, only 99 percent.

I think the NCAA has developed an outstanding TV package. I think

Division I-A schools should have guaranteed appearances and guaranteed revenues, and I am talking about across the board; and that is where we obviously have philosophical differences. I think the Big Ten resolution and I think one other address that point.

Mr. Hallock: Both the Pacific-10 and the Big Eight.

Mr. Paterno: That is where I disagree.

Mr. Hallock: I think Bob Moorman has been on the committee to express the Division II viewpoint, and we have Division III representatives and Division I-A and I-AA who might wish to comment in terms of what the new proposal is.

Bob Moorman (Central Intercollegiate Athletic Association): Joe, I have one vote on the committee and I may vote for 60 appearances for Division II; and when we decide among the committee what Division II gets, it goes down to three per network. So really you are talking about Division II, which is one person, and Division III, which is another person; we do not have enough clout, even if we combine, to overrule anybody.

So you are safe as far as that goes. Division I is going to run the TV Committee; we found that out a long time ago.

John W. Stoepler (University of Toledo): I don't think we are going to resolve what property rights are today. I happen to agree with Harry Cross. There is a question in my mind. You may have addressed this previously and, if you did, I apologize for not listening.

If the chair's ruling on No. 9 is overturned by the Convention and if No. 9 is adopted, what effect, if any, does that have on the following resolutions regarding the football plan?

Secretary-Treasurer Toner: Regarding television, I don't have the answer to that. I would have to call on help from someone else. We will get an answer for you, though.

In answer to John Simpson's question regarding the January proposal, what we do at this Convention regarding Proposal No. 8 will have no effect on No. 80 in January. Proposal 80 will be in order.

Mr. Hallock: I think the answer to this is correct, but if the property rights issue is approved by the Convention in January, or if the chair would be overruled tomorrow and the proposal approved here, it would seem to me it would be the end of the NCAA control over television.

Donald M. Russell (Wesleyan University): I think Bob Moorman has expressed the feelings of Divisions II and III about the power that we are supposed to have on the Television Committee. I would like also to say that, sitting in the back and listening to the implications that possibly the members of Division III or Division II might overturn television contracts, that is totally unrealistic; and I think it is a red flag that doesn't deserve any attention at all.

Fred C. Davison (University of Georgia): I have a question of Wiles and Charley, simply for clarification. Under this concept, in No. 10, of divided responsibility, and I think this is one of the things that is bothering Joe, for instance, would these separate committees have the right to negotiate separate contracts?

Secretary-Treasurer Toner: I believe the answer is no, but Wiles and Charley may answer.

Mr. Davison: How would that be handled?

Mr. Hallock: As I read both the resolution and Proposal No. 47, it would not be possible for them to negotiate a separate contract.

Mr. Scott: I concur.

Mr. Davison: So, in reality then, there is a single committee that negotiates contracts, regardless of what the separate committees desire.

Secretary-Treasurer Toner: That is correct.

James Wharton (Louisiana State University): Louisiana State University has always enjoyed participating in the television broadcasts, and when we have been chosen we have been delighted to get the exposure and we have been delighted to get the income. We have entered into those contracts without thinking about the contracts because it was the only game in town, so to speak.

When the CFA negotiated a contract with NBC, that changed my thinking toward the matter entirely. Not from a point of view on what is better or what is worse, but we operate as a state university, under a state constitution and under state law. Since that event occurred, I have been very careful to observe the selling of similar things.

For example, if we are selling the broadcast on radio or television of a music program, there is no way the university can go to one radio station and say, "We want you to do this." We have to follow state law, and we have to involve as many radio stations as are interested in broadcasting the program.

Now, I am in a position right now where the university attorneys are thoroughly investigating state law to see whether or not it is legal for LSU to enter into that contract. I believe that you will find in some states that the laws would forbid you from doing that and in others it will be accepted. If I were a chief executive officer, on this No. 9, I would want it voted on. So you would have the option to see the outcome of the court cases and to get the determination from your own states as to whether or not it is in violation of the state law.

Charles E. Young (University of California, Los Angeles): The discussion about what the authority and responsibility of the Television Committee might be is of interest to me, and it is of interest to me in relation to the potential agreement or difference, if any, between Resolution 10 and Resolution 12.

Resolution 12, I think, is very specific in this regard. It says, under item 1 in the first resolved clause, "that the negotiating principles for NCAA Football Television Plans, and the plans themselves, henceforth be on a divisional basis and be subject to approval in each division by the football-playing members of that division."

Now, that is intended to provide for three separate plans, each acted on by the members of the three divisions; and if that is not what is intended or not what would be provided by Proposal 10, then there is not agreement between Proposal 10 and Proposal 12.

Mr. Hallock: I will try to clarify it a little bit, both for one of my chancellors and for President Davison.

It is a procedural matter. Divisions I, II and III can develop separate television plans through the representatives of their members on the TV Committee and their steering committee. There can be three separate contracts. Procedurally, it is my understanding that the three separate contracts, if that were the case, would be negotiated by the Television Committee in behalf of all three divisions.

Ladell Andersen (Utah State University): I would like to speak to Proposal No. 4; and I guess I would like to have someone from the Big Eight to make sure I understand it clearly, although it is stated fairly clearly. As I understand it, we must have had 17,000 in attendance every year in the past four years, is this correct?

Carl C. James (Big Eight Conference): Yes.

Secretary-Treasurer Toner: The answer is yes, that is correct.

Mr. Andersen: Assuming that is correct, I must state our position, which I think is maybe the position of many in this room. In 1978 there were proposals passed by our Convention—and many of you were here—that actually made or expected schools to build stadiums up to 30,000 seats and have 17,000 once in every four years. Utah State University, like many others that I can think of, made that great commitment to be Division I-A, whereby we spent nearly a million dollars of our resources to build an extra 10,000 seats to meet the criterion; and that was a short four years ago.

I think it is grossly unfair to those who have made that commitment, who have good major programs, who want to play on that level and are doing it at the present time, to pass that legislation. So I would ask you all to think about that in your caucuses. There are some people that have made that commitment; think about what we have done.

Mr. James: I believe that is the reason the Big Eight has proposed an amendment to the Proposal No. 4, which will be in front of you tomorrow morning, to allow for upward mobility for those people that have made a significant commitment to intercollegiate football programs. I think, as you read it tomorrow morning and we discuss it tomorrow morning, hopefully you will recognize that the Big Eight Conference has done the same thing as I indicated earlier that the NCAA Council has done; and that is to allow upward mobility.

Mr. Andersen: Basically, what is that? What is the possibility?

Mr. James: Again, I prefer that you have the amendment in front of you. I think it would be more meaningful. We do look forward to discussing it tomorrow morning. I recognize what you said. You are going into caucus and perhaps, if you will come by, I think there is a copy of the amendment over here we will be glad to give you.

Secretary-Treasurer Toner: Seeing no one at the microphones, I think we should declare this round table adjourned.

[The session adjourned at 4:40 p.m.]

4TH SPECIAL CONVENTION BUSINESS SESSION

Friday Morning, December 4, 1981

The business session of the 4th special Convention of the National Collegiate Athletic Association was called to order at 9 a.m. by NCAA President James Frank, Lincoln University (Missouri), in the Ballroom of the Stouffer's Riverfront Towers, St. Louis, Missouri.

President Frank: Yesterday I covered the voting procedures for this Convention, and I would remind you that we shall adhere to those procedures.

Before proceeding with the agenda today, I would like to inform you of the proposals which have been withdrawn—Proposal No. 11, Proposal No. 13, Proposal No. 20, Amendment 4-2 (the amendment sheet has been passed out and should be at your seats). Also, Proposal Nos. 7 and 19.

We shall now proceed with today's agenda. Proposal No. 1.

2. PROPOSED AMENDMENTS

Compliance with Criteria

John R. Davis (Oregon State University): On behalf of the Council, I move adoption of Proposal No. 1.

[The motion was seconded.]

Mr. President and delegates, this amendment simply provides an ability for each division now to change Bylaw 10 membership criteria in a timely fashion. Now that the divisional structure has been in place for nine years, it seems appropriate to have a timely way of structuring divisions rather than to mandate a compliance period of two years.

This Convention is an example of the desires of a substantial part of the membership to change this criteria in a timely way. I would hope the delegates would see this as an advantage in providing for that way of structuring the Association.

[Proposal No. 1 (page A-1) was approved by all divisions.]

Membership Classification—Division IV

Homer C. Rice (Georgia Institute of Technology): I move the adoption of Proposal No. 2.

[The motion was seconded.]

I go on record in support of Proposal No. 2. This proposal may be ahead of its time because it's simple and makes sense and, therefore, we may overlook it. However, it's a bit of legislation that is a big step toward maintaining a healthy NCAA membership by allowing each division to address those matters which it believes to be important to the future success of its program. It allows an organization to adopt criteria for Divisions I-A and I-AA.

As I have been told, the institutions do not want the juggling of their institutions up and down in this area. Also, it will take care of those borderline cases in which an institution wants to make the commitment for this division.

We have been talking about reorganization since 1973; and, in this case, we all know it has not worked. Whatever action is eventually taken at this special Convention, I believe it must be decisive and not just a promise for the future.

Joseph R. Geraud (University of Wyoming): In behalf of the NCAA Council, I would like to state the opposition of the Council to this particular legislation.

In general, Proposal Nos. 2 and 3 would unnecessarily create an entire new legislative division within the NCAA. This would further fragment the Association and create a divisional problem with regard to separate meetings, voting procedures, committee structures and so on. At this point in time it would appear that the creation of a new legislative division is unnecessary. The criteria that the proponents want in Division IV can be achieved by appropriate amendments of the Division I-A criteria, and there are a variety of proposals before this Convention that would achieve that particular restructuring of Division I-A.

The other problem that the Council and the steering committee sees with this legislation is that it does create the possibility of an entire new competitive division. There is nothing in the legislation that would preclude Division IV, in the future, from establishing championships for Division IV in various sports. This would cause difficulty in recognizing what might be called a true national champion. Certainly, there would be certain bona fide national performers in the Division IV championships, as well as in Division I championships.

The proposed Division IV criteria would make upward mobility in football more difficult than other proposals that are before you today. In the classification situation, which is already confusing, you would have five different groups of football-playing institutions. Further fragmentation and separation within the NCAA at this point in time simply does not seem to be advantageous.

[Proposal No. 2 (page A-2) was defeated by all divisions.]

President Frank: We now move to Proposal No. 3. I am going to declare this proposal moot or out of order as a result of the defeat of Proposal No. 2. The membership just voted, in Proposal No. 2, not to create a new Division IV. Proposal No. 3 would do the same thing. Robert's Rules states that no motion is in order which presents substantially the same question as one previously rejected during the same session. In other words, it's not permissible to vote on the same issue twice. The only way to do that is to move for reconsideration of the previous question. So I declare No. 3 out of order.

Division I-A Football Criteria

John P. Mahlstedt (Iowa State University): I would move adoption of Proposal No. 4.

[The motion was seconded.]

I would move adoption of the amendment to the Amendment No. 4.
[The motion was seconded.]

I appreciate the opportunity to offer an amendment to a second alternative to effect a meaningful reorganization plan for Division I.

This amendment, the proposed Amendment No. 4, addresses, I believe, many of the concerns voiced during yesterday's round table and contains the Council's deliberations to provide flexibility and the mechanism for the institutions to qualify for what Commissioner James referred to as upward mobility or a mechanism to change within divisional status, as programs and facilities are strengthened and improved by an individual institution. This amendment would provide an exception clause for those institutions failing to meet the home-attendance or stadium-seating requirements.

The amendment's subparagraph (5) would read as it is on the material that you have before you, "Exceptions to the Division I-A Football criteria set forth above may be granted as follows:

"Subparagraph (i), An institution that fails to meet the home-attendance requirement in subparagraph (3) may retain Division I-A Football classification if it is a member of an allied conference in which at least six of the conference member institutions sponsor football and more than half of the football-playing conference member institutions meet the attendance criterion for the applicable period," which would be four years.

In subparagraph (ii), "If an institution fails to meet the criteria set out in subparagraphs (3) and (4) above, it may become a member of Division I-A if it can establish that it has made a significant commitment to its intercollegiate football program and if its application for membership in Division I-A is approved by at least two-thirds of the members of Division I-A."

Joseph R. Geraud (University of Wyoming): Speaking as a reflection of the consideration of this legislation by the Division I Steering Committee, the steering committee, at the time the original legislation was reviewed, felt that it would be better to endorse the NCAA Council's Proposal No. 5. The concern expressed at that time is perhaps a concern recognized by all of the members present and voting today. And that is whether or not a criterion such as a 30,000-seat stadium should be absolute with no other alternatives to meeting requirements for more mobility in Division I-A.

The amendments do provide some relief, but it would appear that the legislation would still have, as a threshold entry requirement, the availability of the 30,000-seat stadium.

Fred Jacoby (Mid-American Athletic Conference): I would like to speak in opposition to proposed Amendment No. 4, which mandates a 17,000 paid attendance and 30,000-seat stadium. This is an extremely rigid requirement with no flexibility. If you do not have a 30,000-seat stadium, the institution cannot meet the criteria, even if the average home paid attendance would be 25,000 per year. The 30,000-seat requirement is a lockout and does not provide an institution with any

upward mobility. Our previous speaker had said that it does, but it doesn't. There are no options unless you have 30,000 seats.

From our view, the original intention of the 30,000 seats was to represent a program. The commitment was the primary purpose of the criterion. And yet if we look at our NCAA Manual, at the NCAA Recommended Policy 2, Section 1 states, "Member institutions should conduct their athletic competition on campus grounds and in campus buildings."

Proposal No. 4 favors institutions located in urban areas that can use a municipally owned stadium with literally no commitment from the institution. Of the 10 member institutions that I represent, most have constructed and maintained their own stadiums on their campuses; and, from our view, this is making a greater commitment than other NCAA institutions representing city stadiums, Philadelphia, Miami, New Orleans, Houston, Texas at Irvine, Honolulu Stadium, San Diego or the Los Angeles Colosseum built in 1932 for the Olympics.

The NCAA institutions using city stadiums made a wise and prudent financial decision to use the stadiums, and we have no fault with that. But, at the same time, do not penalize other institutions who do not have a 30,000-seat stadium; and there are many examples of that.

For example, it would be possible that an institution like the University of Cincinnati with a nice stadium on their campus wouldn't qualify and would then have to move downtown to Riverfront Stadium. Or Miami University in Oxford, Ohio, could qualify by moving all their home games 30 miles south to Riverfront Stadium, where they would have no commitment at all. But instead, they are going to build one on their campus where it belongs.

In looking around the country, I see an institution like Yale that has a 70,000-seat stadium; and yet to the north is Dartmouth in the small town of Hanover, which does not. And I ask the question, does that mean that Yale has a greater commitment than Dartmouth? I think not. Cleveland State University, in our area, could start a football program tomorrow, move seven blocks over to Municipal Stadium and be able to qualify on the stadium requirement.

So what we are simply asking for, in appealing to the delegates, is an opportunity and a chance to develop and build our football program. Proposal No. 5 was carefully thought out and would do that. I urge you, in the name of fair play and sportsmanship, to provide the opportunity for us to build our programs by defeating No. 4. We may not make it into Division I-A this year; but we would like to have a chance, just a chance, an opportunity to make it in future years.

President Frank: I just might remind the speaker that you are speaking on Amendment No. 4-1.

Daniel C. Gibbens (University of Oklahoma): The comments of the last two speakers were the concerns for which Amendment No. 4-1 was offered. The Amendment 4-1 allows specifically that both the stadium requirement and the attendance requirement can be satisfied by alternative means; and the most significant language there is in the second paragraph of the proposed Amendment 4-1, which provides that, if an institution has made a significant commitment to its intercolle-

giate football program and if its application for membership is approved by at least two-thirds of the members of Division I-A, it can be included in Division I-A.

The idea is to provide a means of upward mobility; and we are seeking a set of standards which do adequately identify, better than our present structure, the community of interest which we are seeking to define by this divisional structure. The Big Eight Conference respectfully submits, with this Amendment 4-1, that restructuring is better, that it better reflects the community of interest than Proposal No. 5. The Big Eight Conference would not be opposed to No. 5, but we honestly submit that No. 4 is a slightly better definition of divisional standards.

[Proposal No. 4-1 (pages A-4-5) was approved by Division I-A Football.]

[Proposal No. 4-2 (page A-5) was withdrawn.]

Mr. Mahlstede: This amendment proposes to modify paragraph (e). Division I-A Football institutions, in order to meet requirements, must meet those that are expressed in subparagraphs (1), (2), (3) and (4). If you look at that carefully, subparagraph (1), as it exists in your NCAA Manual today, is without change, the sponsorship of eight varsity sports, including football, in Division I. Generally, subparagraph (2) would remain the same, the scheduling of at least 60 percent of an institution's football games against members of Division I-A Football.

The amendment proposes to add subparagraph (3) and a modified version of (4) to the list of criteria required for I-A Football membership. In other words, subparagraph (3) would then read, "The institution must have averaged"—and I call your attention to the word "averaged,"—"more than 17,000 in paid attendance per home football game in the immediate past four-year period."

Subparagraph (4), as modified by deleting the 17,000 paid attendance in one year in the last four-year period, would read, "The stadium utilized regularly for the institution's home games must contain a minimum of 30,000 permanent seats."

I would add that the amendment proposes to delete subparagraph (5), the option of sponsoring of 12 or more varsity sports.

I would call for a roll-call vote on this when Division I-A votes.

Seaver Peters (Dartmouth College): I intended to rise in opposition to Proposal No. 5, but let these comments serve as our opposition to Proposal Nos. 4 and 5.

There has been a great deal of conversation and literature about the failure of the 1978 reorganization proposal. Most recently, a mailing from the chair, I think for the Council, reminded us that the 1978 reorganization has resulted in only two fewer members in Division I-A. I suggest to you that when the reorganization was proposed in 1978, the focus, the thrust of it, was that institutions with a strong commitment to intercollegiate athletics would be in the same division.

At that point, the Ivy Group presented and the Convention passed the 12-sport criteria. All those who sponsored 12 sports, because this was passed, thus qualified for Division I-A Football.

What is meant by a strong commitment? I suggest it doesn't mean

number of scholarships, doesn't mean attendance, doesn't mean stadium capacity. Rather it means, it seems to me, what we average in the Ivy group, a bottom-line commitment of from \$2½ million to \$5 million toward our intercollegiate athletic programs. This is excluding financial aid because, as the membership knows, in our group we choose not to give athletic or football scholarships. Therefore, it's a \$2½-5 million commitment to programs. We have over 30 sports for men and women in our group. That includes 1,500 participants in the varsity intercollegiate athletic programs. The speaker yesterday mentioned a commitment of travel and other related commitments. We have that kind of commitment for and full support for better than 30 athletic programs. Athletics is an integral commitment in our group. All of us have a minimum of three and some have four intercollegiate football programs.

Again today, we have heard a great deal about commitment. I suggest to you and to the total membership that that does indeed reflect a total commitment. We want to stay in Division I-A because we find it compatible to our programs. It's a less restrictive, legislatively, if you will, a less restrictive commitment for the survival of our program.

As Fred Jacoby said, two of the eight institutions in our league meet the stadium-capacity and attendance criteria, but that does not suggest that the other six do not have the same kind of commitment. Indeed, it might suggest that they have a greater commitment to intercollegiate football programs.

In addition to the history and tradition, I would ask the membership one final question. Is this the last time we are going to face this kind of issue? If No. 4 and/or No. 5 and some of the other amendments pass, will the total membership be completely satisfied with television appearances, the distribution of television dollars and some other issues that will face us down the road, such as the basketball tournament and perhaps even a basketball subdivision?

I suggest that the best interests of the total membership of the NCAA, Divisions I, II and III, ought to be answered and ought to be addressed today. The best interests of all intercollegiate athletics, it seems to me, are served as we are now structured; and I ask the membership to defeat Proposal 4 and Proposal 5, if it comes up.

Gail Fullerton (San Jose State University): Proposal No. 4, even as amended, will be destructive of the Pacific Coast Athletic Association, our conference, and to the football program at San Jose State University.

Proposal 4 differs in a significant way from Proposal 5, as has been pointed out, in that it requires both a 30,000-seat stadium and average attendance of 17,000 per game over four years, whereas Proposal No. 5 permits either the 17,000 average paid home attendance per game over four years or a 30,000-seat stadium with an average attendance of 17,000 paid per game once every four years.

The amendments do not effect a significant difference, and the 30,000-seat stadium is still required. There is no specific waiver; and it would pose a very serious problem for a great many universities, including mine. Our university has made a major commitment to

football. At the end of the season, we ranked No. 20 in the UPI poll. I think we are one of the emerging football programs. Although we have invested \$3½ million in stadium expansion in the last three years, part of the recession period, we have not yet achieved a 30,000-seat stadium. Proposal No. 4, even as amended, deprives San Jose of Division I-A status, perhaps permanently.

I suppose we could move up to Oakland and play in the Colosseum. Proposal No. 5, the NCAA Council proposal, provides for emerging programs such as ours at San Jose State, for making a meaningful and responsible reduction in the size of Division I-A. I urge you to defeat Proposal 4 and to accept Proposal 5, the NCAA Council amendment, which is a fair and balanced proposal.

Jack V. Doland (McNeese State University): My question, and my concern, is just exactly why we—and I say we collectively, the Ivy League, Missouri Valley, Southland, Pacific, Southern, some related independents—are being requested to move down to I-A. I tried to guess just why we are in that box. What is the problem? I look at it and it's too many TV appearances causing problems for the larger universities. That is not the reason, because they have guaranteed us appearances in I-AA in Resolution No. 10. We will be getting the same appearances that we have been getting in the bottom echelons of I-A. So TV couldn't be the reason.

I look next, maybe they are afraid we will come back with the "need" specter that we had a Convention on once before. I look at that, and our conference voted 7-0 against it. The Big 10 was split. That can't be the reason.

I checked the 30-scholarship limit. That is probably the reason. Except, as I look at the CFA, they can't change the 30 scholarships by themselves. Must be the number of coaches. The only amendment that's come before this body for the last two years is the change from eight coaches and two part-time to nine coaches. Not a very big reason to throw some 62 colleges out of Division I-A. I don't think that is important enough.

I keep trying to find out why is this legislation up here; and I surely can't believe that this legislation is before you so that a few super powers can get autonomy on their own TV programs so they can go ahead and contract with cable TV and defy the NCAA and get enough votes, in a larger sense, to be able to gradually squeeze it down so they can go their own way, regardless of the NCAA. Certainly that couldn't be the reason for all this legislation.

I realize, though, there are some big ones that would like to do this. They would like to have the state universities on the TV throughout the states. It goes past states. There are some nations involved. There is a Catholic group, there are the various coastlines, all kinds of institutions that will be involved.

Many of you right now in the CFA need us much more than you think you do. There are many of you in this legislation if either Proposal 4 or 5 is passed who will begin to wonder just where you stand. I wouldn't call out the conferences, many of you can figure that out.

My suggestion is a little bit like the story in Germany just before

World War II, when the Nazis were in power: "They came for the Jews. I was not a Jew, so I did not care. They came for the labor unions. I was not in a labor union; I did not care. They came for the Catholics. I was not a Catholic; I did not care. They came for me. There was no one left to care."

I suggest that we leave the Ivy League rule as it is. I have noticed Harvard and Princeton have not hurt Penn State. I've learned that the Missouri Valley has not crippled the Big Eight. The Southern has not damaged the ACC considerably. I think all of this is a power play for a few institutions and that some of the middle group of the CFA is being used to the benefit of some others. We are much better off to let each institution determine its own case. And if they can't afford to finance 12 sports and stay in I-A, they will voluntarily drop out and go into I-AA, which is happening in many instances, if we will just be patient and let it happen.

Many of us have made a commitment. We have—our attendance average has been over 20,000 for the last three years. But we do not feel we need to add 10,000- or 15,000-seat stadiums, because I am sure it will go up from 30,000 as soon as the other legislation is passed, just to keep up. I feel this is all bad legislation, that this meeting should not be necessary and that the reason we are here is because there was a scare thrown by a few over TV.

Mr. Geraud: Once again, with respect to Proposal No. 4-1 and the amendment itself, I would invite the attention of the Convention to some of the specifics, particularly with respect to the amendment. Subparagraph (i) does provide an opportunity for a member of a conference to maintain a further option as to mobility, but does not address the question of an independent. If we look at (ii) and the provision made for a waiver there, it does call for two-thirds of the members of Division I-A to approve the waiver of the criteria. It's not specific as to whether it's speaking to two-thirds of the members present and voting or whether it speaks to two-thirds of the total membership of Division I-A.

In contrast, Proposal No. 5 sets forth a specific procedure for enactment of the waiver and does specify a majority vote rather than a two-thirds vote.

Joseph V. Paterno (Pennsylvania State University): I would like to respond to Mr. Peters and the gentleman over here. I could understand wanting to be designated I-A, and that was one of the reasons the CFA proposed having a Division IV, coming here with an open mind, hoping we could come up with some meaningful restructuring. The reason, all contrary to what the gentleman said in his last argument against us, we are not involved in a power play, not interested in getting, necessarily, control over television, except in some areas where rightfully we should have some control over it. I come here right now to talk to you as a football coach who has to live with the indictment of a judge in New Mexico who claimed that all coaches are crooks; therefore, he was going to excuse somebody who had broken the rules. It's very difficult for somebody who has been in coaching 31 years and tried to live up to the rules and the intentions, sportsmanship and all the other things that we

hopefully are involved in intercollegiate athletics, to see intercollegiate football deteriorate.

Academic standards have gone down. We have constantly had to amend aspirations we have had, to raise those standards because other people had other ideas. We have had constant bickering about what is meaningful legislation. It can be in sports, it can be policed. I have looked for the day that I could sit in a room with 85 or 90 football coaches who have actually the same problems I have; so we could sit down and I could say, what do you think. Well, my experience is that I do not have to worry about eight coaches in the Ivy League who do not give grants-in-aid, who supposedly do not recruit.

I think we need a forum that is attended by people who have the same problems, the same aspirations, the same interests, the same programs. And, obviously, the Ivy League feels that Division I-A is better suited for them because it's less restrictive. Fine, I am not arguing what the Ivy League ought to do. I am not talking about whether we designate I-A or I-AA or Division IV. What I am looking for is someplace, some time I could sit down with 85 or 90 football coaches and we could work toward everybody having a fair chance to compete without cheating. I can look around and say, you are cheating; and we have got a coaches' group that isn't going to let you cheat because you have every opportunity to compete as fairly as anybody else and you are just not a good enough coach.

I am looking for that day; and, if we can't come to that day, I don't think it's worthwhile being in the game. I think of our whole intercollegiate football as I know and love and competed in it; the Ivy League is in another world all by their own. They are in another world. I am in the real world. I believe in the Ivy League. I believe in the Ivy League program. But I am tilting windmills, and we cannot do it unless we have a meaningful forum of the people who have the same problems and interests. That is why I want restructuring. I don't give a damn about the TV, and I resent your inference that Penn State is worried about Princeton or anybody else.

I made a statement that we have to have faith when I talked about the Trinity; and some of the officers in the CFA said to me, you have to have faith. Faith is a two-way street. You people funnel it down the line to have some faith in you. You have to have some faith in us. Otherwise, don't expect us to have faith in you.

F. Russell Sloan (Fresno State University): In growing up, I always felt that ex post facto laws were made because you were making laws after the fact. We have such a situation here, at least in regards to our particular situation. Fresno State after '78 made a major commitment to go back to Fresno, raise the money to build a new 30,000-seat stadium and raise another \$2 million for the shower and locker room and weight room project. That is about \$9½ million that we raised. Nobody gave it to us from state or tax bonds or anything like that; we had to go out and raise it. We made the 17,000 average-plus in the first year.

Now we are being asked to average 17,000 for the past four years. If we had known that four years ago, maybe that would have given us a legitimate opportunity to do some things differently. How can you

change the rules in the middle of the game? If you want to give us criteria to work towards for the future, that is fine. But don't make a new set of rules now that require you to have 17,000 a year, when it has been that you have to average 17,000 one in four years.

We have made the commitment. Fred Jacoby made a good point. If we had had a municipal stadium, we could have put the \$7½ million or \$9 million in the program. It's very unfair to treat an ex post facto situation and say that is fine. If you want to give criteria to work towards for the future, that is fine; but don't handicap us for what happened in the past that we had no control over.

Alex Agase (Eastern Michigan University): Again, I want to speak in opposition to Amendment No. 4. I have had the privilege in my lifetime to have coached football 25 years. Twenty-three of those years were in the Big Eight and the Big Ten, 17 of them at Northwestern. And let me say this, we won football games in those years. I have been an athletic director now for five years, and I have been often asked two questions. "Do you miss coaching?" The answer is, obviously, yes. "How do you compare coaching to administration?" And I compare it this way. In coaching, no matter what the odds, no matter what the odds, the score is 0-0; and we lined up at Northwestern and Purdue, against Ohio State, Notre Dame, even Oklahoma. And we have won—the right fumble, the right play, the right call, the right bit of luck—but, whatever, we have won. There is always a chance to win. This is what coaching is all about. That is why it's so much fun. Of course, being with the kids is number one; the association with the kids is number one. But you always have a chance; the score is 0-0.

And I tell them that, in administration, sometimes there is no chance; and that is very frustrating. With No. 4, obviously for a lot of good people, a lot of good schools, a lot of great programs, there is no chance. It's a lockout, and that is frustrating. The stadium, leagues made the difference in winning or losing. My record, personally, against the MAC would have been 5-0. But, fortunately, the competitors on the field count; and it's 1-3-1.

Mr. Mahlstede: I think there have been a number of concerns expressed here; you have talked about it during the last two years. Such things as a definition of what is meant by a significant commitment. This is terminology that is not uncommon to our NCAA Manual or our case book. We talk about scare tactics and control and subversive activities and so forth. This is not true.

This amendment offers one of three alternatives, for each of you in your own individual institutions and collectively. It has been given considerable thought. The idea is to provide the one man, one institution, one vote concept to a democratic organization in which we all believe. I would like to thank the committee members who came through the airport this morning and said reorganization is on every mind and lip. You talk of ways to ease the pain; but, when all is said and done, think of Lindberg and pass Amendment 4.

President Frank: You indicated earlier you might want a roll-call vote. Is that still your intention?

Mr. Mahlstede: That is correct. I move a roll-call vote be called on Amendment 4.

[The motion for a roll-call vote was seconded and defeated.]

Richard G. Shrider (Miami University): I would like to speak to you briefly about commitment to football in Division I. Seventeen years ago I sat down with architects and made plans for a football stadium. Last week, we finally got the money for that stadium at Miami University. The original cost was \$3½ million. Now the cost is in excess of \$12 million. We are going to break ground next month, and you can imagine the excitement on our campus when the long-awaited stadium became a reality. To me, this is commitment.

Now I find myself in a position that, if Amendment 4 passes, I cannot qualify for Division I-A because I will have 26,000 seats and I must have 30,000 seats. However, if I'd rent Riverfront Stadium in Cincinnati, 30 miles down the road, I could qualify for Division I-A.

Some will say, "Build the stadium with 30,000 seats." Even if I did this, not enough of our other nine Mid-American Conference members would have a 30,000-seat stadium; and the Mid-American Conference would be locked out of Division I-A.

I urge you to provide flexibility by offering stadium-size and attendance options, rather than requiring both. This offers some opportunity and some hope to build and develop our football program.

Stanford Cazier (Utah State University): You heard my athletic director speak to the fact that, like Fresno and other schools, schools throughout Division I-A have, in fact, made a major effort to meet the criteria set out a few years ago.

We have a 30,000-seat stadium. That was a grand effort on the part of the community, alumni, Hill Air Force Base, and so forth, with the expectation this would meet requirements for I-A participation.

I realize that the call for this special Convention meets procedural due process, but I am concerned about substantive due process and say we have a problem in this area. I am not going to reiterate what was said by other schools, but it seems to me the least radical suggestion, No. 5, accomplished essentially what this Convention is called to do, reduce the number of I-A schools.

In fact, if you pass No. 5 and defeat No. 4, you will have reduced I-A by one-third. You have about 138, 139 schools in I-A. You will go down to about 94 if No. 5 passes. If No. 4 passes, you affect maybe half a dozen more schools and that is small schools. In deference to substantive due process and what the institutions have done, and I think you know what Utah State's commitment has been, I urge defeat of No. 4.

Robert F. Ray (University of Iowa): I rise in opposition to Proposition 4 and in support of Proposition 5 for all the good reasons my friends have expressed from the Pacific Coast and the Mid-American Conferences.

It seems to me, in reviewing the packages that have been presented to the Convention, the package presented by the Council holds together. It was devised after careful study. We have already seen the important need for the amendment and some of the other proposals. Also,

Proposition 5 gives us, in every institution bent on upward mobility, clear rules of the game for achieving that mobility. That is missing from Proposition 4, in that the two-thirds vote requirement really poses more of an obstacle than it does a procedure.

For all these reasons, I would urge the Convention to defeat Proposition 4 and support Proposition 5.

Glen R. Driscoll (University of Toledo): I rise to speak in opposition to the motion. What I say will be somewhat repetitive. I learned in the classroom that sometimes that is effective. It is an action that fixes in place each institution in its divisional classification. The result will be immobility which is difficult, if not impossible, to break.

We have been talking and writing about commitment to programs as a test to determine classification. The suggestion is that attendance at games is the measure of such commitment. Apparently, 17,000 in the stands is an acceptable threshold. For the moment, I will accept that. I understand that position. I don't understand how it is that they are more attractive if they are surrounded by 13,000 empty seats in a 30,000-seat stadium.

If one is concerned with budgets, as I happen to be, I would much prefer 25,000 fans in a stadium designed to hold only 22,000. Let us not presume to define a single, fixed set of figures, in this instance, 17,000 and 30,000, which in some way defines respectability.

The NCAA Council, through its special committee, has labored over this issue for a number of years and has come up with No. 5, with its options. Let's give that a chance to work before, in some great burst of wisdom, we wipe it out in a two-day session.

I agree with an earlier speaker that we should show some faith in each other. I am having trouble in understanding how 30,000 seats is a factor of faith.

Paul F. Dietzel (Louisiana State University): I would like to rise in favor of the motion. I would like to reflect some of the things that Coach Paterno was reflecting because I am one of those, also, who had the great pleasure of being in football coaching for almost 30 years; and I certainly do want to state my pleasure at my alma mater, Miami University, finally getting their stadium.

It was also my great pleasure, a couple of years ago, one of the great years of my life, to be the commissioner of the Ohio Valley Conference. So I believe, even though I am back at LSU, I understood the situation from all realms.

I just can't quite accept the things that have been said. I think the main forum that we have been interested in is to have an opportunity someplace to discuss our own problems. That does not mean that we don't accept the problems that other people have, but we have to have somewhere we can discuss the problems that are significant to our institutions. I always felt there was a place for everyone in the NCAA. There has been a great deal of frustration in the last five or six years, when we have addressed problems that are significant to us; and the voting procedures, as they are, make it impossible for us to express ourselves.

I think this has been true in the issue of part-time coaching and in several other things. But I think it is a matter of having an opportunity to discuss our own problems and have an opportunity and a forum to do that; and I certainly urge the adoption.

[Proposal No. 4 (pages A-3-4) was defeated by Division I-A Football, 55-89.]

Division I-A Football Criteria

Richard H. Perry (University of Southern California): I would move adoption of Proposal No. 5.

[The motion was seconded.]

It is our opinion that this proposal culminates, in the most fair and equitable fashion, the wishes of the body expressed as long ago as 1973. It provides greater autonomy for institutions with like programs to control their own destiny.

This amendment, we feel, creates three ways in which an institution with an emerging or growing program might achieve Division I-A status and/or maintain I-A status. It is fair and open, it offers hope for the future and it would reduce the size of I-A Football by 40 or more institutions, to approximately 90, which I think gets close to the number that Coach Paterno would like to work with.

In addition, it is a meaningful reduction and speaks to the needs of the Convention. I would urge its adoption.

Richard G. Shrider (Miami University): I would like the Convention to consider seriously defeating No. 5. I want you to think long and hard before you vote on No. 5. All of us in I-A now would like to stay in I-A.

We promise two things. One, we will not interfere with your 16 votes. We will not be invited. Two, we will not contaminate the top 20; we will not be selected.

All we ask for is respectability in our own small area, so that we can sell tickets and cause college football to become better and not relegate it to second place, which eliminates many other programs. We would be forced to do so if we can't support the 12-sport programs or if we can't draw 20,000 more fans. We respectfully request that everyone pay close attention to the vote for the reasons stated earlier.

Seaver Peters (Dartmouth College): Just for the record, one or two comments. One, while the Ivies do not award athletic or football scholarships, they do indeed recruit within the framework of our institution and regional or national organization. Secondly, a representative from AP came back to tell me that ABC has announced they are going to televise the Penn State-Brown game in 1983.

Thirdly, I would ask a couple of questions. How does reducing the size of the membership in Division I raise academic standards? How does that eliminate the bumping or cheating? How does it make recruiting more honest and eliminate, if you will, crooks in our business?

We reiterate our opposition to Proposal No. 5.

[Proposal No. 5 (pages A-5-7) was approved by Division I-A Football.]

Resolution: Waiver Opportunity

Richard H. Perry (University of Southern California): On behalf of the Council's governance subcommittee, I would move adoption of Proposal No. 6.

[The motion was seconded.]

All No. 6 is a one-time waiver opportunity for the 1982 Convention so that any institution that thinks it can get a waiver can attempt to escape reclassification. Any waiver granted in January applies for only one year, and any institutions wanting to try this approach in January would have to follow the procedures set forth in Proposal No. 6.

This is merely protection from having to sit in another division for as many as three or four years under Bylaw 9-4-(a).

[Resolution No. 6 (page A-7) was approved.]

[Proposal No. 7 (page A-7) was withdrawn.]

Maximum Awards

Andrew I. Mooradian (University of New Hampshire): On behalf of the Council, I move adoption of Proposal No. 8.

[The motion was seconded.]

This amendment would permit an institution that is moving to Division I-AA, as a result of the action at this Convention, to exceed the I-AA grant limitation for one year. It would not be eligible for the I-AA championship in that year.

The proposal is designed to help such an institution phase down to a lower grant limitation. The point of this amendment is that it is fair to the institution that finds itself moving from I-A to I-AA next year.

[Proposal No. 8 (page A-8) was approved by Division I-AA Football.]

Property Rights

President Frank: Moving to Amendment No. 9. As indicated in your program, the chair has ruled this proposal out of order.

L. O. Morgan (University of Texas, Austin): Mr. Chairman, we will challenge the ruling of the chair.

President Frank: There should be a motion from the presenter.

Mr. Morgan: We move adoption of Proposal No. 9.

[The motion was seconded.]

President Frank: I now rule it out of order.

Mr. Morgan: We challenge the ruling.

President Frank: I will state my reason for ruling it out of order.

The September 18 official announcement of this special Convention stated clearly that any proposal not specifically related to the restructuring of Division I would not be in order. Proposal No. 9 does not refer or relate to Division I restructuring.

It could have been presented for a vote at any previous NCAA Convention, regardless of any restructuring consideration. In fact, it has been submitted for the annual Convention in January, when it will be properly brought before the membership for consideration.

I believe the motion has been made to appeal the ruling of the chair. It is a debatable motion. It requires a majority vote, and I will now indicate that the speaker speak only once.

W. O. Shultz (University of Texas, Austin): I rise to speak in favor of overturning the ruling of the chair.

First, let us all define what the issue is. In this regard, it is not whether we agree or disagree with Proposal No. 9. It is whether you agree that the chair, under the circumstances presented today, has the authority to say that this proposition is out of order and to prevent the members of this Convention from voting on it. I submit to you that the chair does not have that authority.

Let us look first at what the constitution of this organization says about amendments to the constitution. Article 7 of the constitution says, "This constitution may be amended at any annual or special Convention by a two-thirds majority of the delegates present and voting, provided that the proposed amendment shall have been submitted to the secretary of the Association by written, wired transmission, received at the national office by November 1 or by certified or registered mail postmarked by October 25 preceding an annual Convention, or 60 days preceding a special Convention."

No one has contended that the University of Texas at Austin and the required number of sponsors required by the constitution (it requires six) did not submit this proposed constitutional amendment timely and with the required sponsors.

Now perhaps the chair can correct me, but I have searched in vain through the constitution for anything that says constitutional amendments submitted in accordance with the constitution are limited to some program or call that has been put together by the Council. The Council does not have the authority to limit this body in amending the constitution by simply saying, "At this meeting we are going to consider these subjects, and no other subjects will be considered."

Now, the Council recognizes that it does not have that authority, I submit to you, because they have a proposal in the program for the January meeting that will give them that authority, if adopted; and I will submit to you that is a very dangerous thing for you to adopt in January. You ought to consider it very seriously.

But had they not recognized that they don't have that authority, why would they be coming to you in January and saying, "Give us that authority." I submit to you they don't have it.

Next, I ask you to think about your responsibility to yourself and your fellow members. That responsibility goes a long way to the viability of this organization. You have the responsibility to exercise the authority given you by the constitution, in spite of what the chair is trying to rule here today. If you don't exercise that authority responsibly, it may happen to you next time, when you have something you want to present to this body and the chair rules you out of order because you simply were not in some call that the Council has placed on the meeting.

Now, the constitution is the organic body of law for this organization; and, unless the constitution limits the ability of a member to present a constitutional amendment, you are not limited and the chair cannot limit that, nor can the panel.

Don't abdicate your responsibility to act as responsible members to the chair and the Council. Don't let them tell you what you may consider in an open Convention with regard to constitutional amendments. Let's vote to overrule the chair. Let's discuss this proposition on the floor; and, after the discussion, you vote the way you want to vote on it. If you vote it down, so be it; but you have exercised your right and your responsibility to yourself and your fellow members of this Association. And you have not let the Council and the chair dictate to you what you can consider as guaranteed to you in the constitution of this organization.

John W. Sawyer (Wake Forest University): The Council recommends that you uphold the ruling of the president and that this is out of order for the stated purpose of this very specialized Convention. It was clearly stated that all propositions, everything to be voted on, would have to be directly connected with the restructuring of Division I. This particular proposal goes far beyond restructuring and affects, directly, financially and otherwise, every division of the Association. Hence, it is clearly out of order.

Kenneth W. Herrick (Texas Christian University): Whether or not you favor Amendment No. 9—but I would say particularly if you don't favor No. 9—I would urge you to overrule the chair. This will then give you a chance to cast a meaningful vote on No. 9. Now is the time to get started on this very critical matter.

Only a technicality, or at best a highly debatable legalistic argument, is preventing consideration of this particular matter at this time, causing the chair to rule it out of order. I have reason to believe that the chair will not take it as a personal affront if he is overruled, and I believe it would be a shame if a technicality kept this special Convention from voting on a matter which practically all of us believe is of critical importance at this time.

Secretary-Treasurer Toner: Following yesterday's round table, at the meeting of the NCAA Council, the Council was concerned about statements made during the round table in regard to the property rights issue and asked that a statement be made at the appropriate time. I would like that permission now, and I will read the statement from the Council.

It has been represented to this Convention that NCAA attorneys at the preliminary injunction hearing of the Federal District Court in Oklahoma City led the court to believe that the plaintiffs' contention that they owned their "property rights" would be decided at the special Convention.

NCAA attorneys represented to the court that the so-called "property rights" issue was a "red herring," because the NCAA has never disputed that the members owned their property rights. The issue, in this regard, is whether members have agreed among themselves to restrict the exercise of such rights for the common interest.

The NCAA attorneys also made it clear to the court that the right of the plaintiffs to televise their own games outside of the NCAA Television Plan would not be decided at this special Convention. At a later discovery conference, on or about October 1, with Judge Eubanks, the plaintiffs—that is, the University of Georgia Athletic Association and the University of Oklahoma—complained about the agenda for the special Convention and urged the judge to order an early trial of this case. The judge, at that time, acknowledged that he understood that the special Convention was to be limited to restructuring issues. He thereupon refused to set a trial date but, rather, set a lengthy discovery period, after which he proposed to have the case assigned to a judge from outside the state of Oklahoma.

The Oklahoma-Georgia legal action—which has been supported by the CFA board of directors—seeks to invalidate NCAA legislation controlling football television on the basis that such legislation is contrary to the NCAA constitution and, most importantly, that such legislation violates the Federal antitrust laws. It is clear that no special Convention on restructuring could decide those issues, and the NCAA attorneys clearly have not represented otherwise.

There has not yet been a hearing before the state court in the suit filed by the University of Texas in behalf of itself and all other members of the CFA, and no representations as to the issue to be decided at this special Convention have been made to that court by any NCAA attorney.

In short, NCAA legal counsel emphatically denies that any NCAA attorney has made any statement which would give rise to any obligations for the special Convention to consider any issue against property rights.

I would add that attorneys for the NCAA did argue to the Oklahoma court that the lawsuit constituted a dispute among members of a private association and that the dispute should be resolved among the members in convention. They pointed out this could only be done at the annual Convention, after restructuring issues are decided.

I just close by saying the Council asked that this statement be made and asked me to remind the membership that it is in support of the upholding of the chair's decision.

Franklin A. Lindeburg (University of California, Riverside): On behalf of all those Division II institutions who are not in attendance, I would ask you to support the chair. We would like to be here and be able to debate this issue in the January Convention. Vote no; support the chair.

William S. Banowsky (University of Oklahoma): With all due respect to Mr. Toner's explanation, I would like to report the feelings of the University of Georgia and University of Oklahoma in the proceeding which we have filed in the Federal court. It was expressly understood by us at the time of the late September hearing that it would be the intention of the NCAA for this crucial matter relating to the question of restructuring to be included in this Convention. In fact, it is my understanding that Judge Luther Eubanks took the position he did, in holding the action in abeyance, precisely because he felt this was

the NCAA concern, that the NCAA was meeting for this purpose and, therefore, we would have our day in court today.

I join those, therefore, who feel it is only a question of fairness, regardless of how an institution wishes to vote, for all of us to permit these issues to be debated fairly and voted on one way or the other, up or down.

The University of Oklahoma also wishes to stress that we do not regard this Proposal No. 9, the property rights issue, to be extraneous to the issues of the restructuring of the organization. We always have regarded it to be an integral part of the issue of reorganization. There should be no meaningful restructure which does not provide a clear definition of the property rights issue.

Therefore, in behalf of the sponsors, I am appealing to this body's sense of fairness toward our right to vote on all issues, up or down, after hearing what our members have to say. We believe it is dangerous for any deliberative assembly to abdicate this responsibility and, here today, to have anyone abdicate to the ruling of the chair or abdicate to the ruling of the Council.

We all know Proposal No. 9 is a basic issue to the restructuring. It is not arbitrary or capricious. It does not violate the intent of this Convention. It is fair. If it is fair, we believe that those of you who intend to vote no on Proposal No. 9 have a self-interest at stake to permit, at least, the proposal to be heard.

John W. Oswald (Pennsylvania State University): I speak exclusively to the matter of the ruling of the chair. It was certainly, at the meeting in Chicago of the chief executive officers, as they discussed the various issues leading up to this Convention—the membership had then been told that the discussions were going to center around restructuring—at that meeting, television came in at every point of the discussion.

The chair has now ruled that No. 9 is out of order, because it does not directly relate to restructuring; but I just ask you to return to the very next resolution, No. 10, which is submitted by the Council of the NCAA, which is not only on restructuring but is on television as it relates to restructuring, how the various committees would be organized, etc., etc. It seems somehow or other that that combination appears to be legally all right before the chair, whereas the one preceding it is not so.

President Frank: You can only speak once on the appeal, and I believe you have spoken on the appeal.

Mr. Shultz: I do not intend to speak to the appeal. I intend to rise to a point of order or a point of personal privilege, if you please, to respond to something Mr. Toner has said which was injected into this discussion, I think inappropriately. But I think it cannot go unchallenged since Mr. Toner was not in the courtroom in Austin, Texas, and I was; and Mr. Toner did not hear what the attorney appearing on behalf of the NCAA said to the judge in the courtroom in Austin, Texas, and I did. I think I am entitled to respond to what Mr. Toner said.

He said there had been no hearing in Austin, Texas. There was a hearing on the extension of the temporary restraining order; and, at

that hearing, the attorney who appeared for the NCAA told the judge that this issue of television rights would be before the Convention and resolved in December.

Jesse N. Stone (Southern University, Baton Rouge): I rise in support of the chair. I do not see that this Convention, this special Convention, abdicates any responsibility whatsoever, by sustaining the chair, in view of the fact that we have been previously advised that we would be voting in this special Convention only on issues involving the restructuring of this organization.

I came here believing that that was what I was going to vote on, as a member of my division, when the issues would arise. I assert that there must be others that stayed away from here, feeling they had no interest in this particular issue but expecting to vote on all other issues at a later Convention. I think it would be patently and obviously unfair if we were not to afford them the privilege of voting at the appropriate time on this particular resolution and if we usurp that power and responsibility at this particular time. Because of the manner in which the call was made, I would urge everyone to sustain the chair. In so doing, this does not at all preclude a vote at an appropriate time on this issue.

I don't think this matter can be voted on at this time, or the chair should be overruled at this time, because of something that may or may not have taken place in some courtroom in some other place. That matter will certainly be addressed by the Convention at the appropriate time. I merely submit to you that this is not the time.

Joseph Geraud (University of Wyoming): I rise to speak in favor of the ruling of the chair. The previous speaker has called attention to the fact that the next proposition pertains to television, as it relates to restructuring; and that is correct. But I would ask the delegates to simply read Proposal No. 9. Proposal No. 9 nowhere relates to television. It relates to something called property rights.

It would call upon this Convention to place in our constitution a new article and new section, and what would it do? It would prohibit any kind of action that would amount to assignment of something called property rights. The second part would prohibit any kind of disciplinary action, if, in fact, the institutions' alleged violation arose out of something called exercise of property rights. So I do not believe that this particular proposal is in any way related to the specific issue of television but is based upon something that is a much broader concept.

Those of you who were here yesterday heard a quotation from Corpus Juris, and I seriously doubt that any of you understood really what was included within that definition. Now I haven't been around as long as some of the other people here, but I did start teaching property law in 1955. And it is beyond me to understand what is intended specifically by the phrase "property rights," as it relates to the operations and functions of this organization.

The real issues before the Convention, or which could be before this Convention in January, is whether or not the membership desires to maintain any television plan adopted through the procedures of the NCAA and whether, if such a plan is adopted, the members should be asked to comply with such a condition of membership. That is the

fundamental issue.

So I believe the chair is quite correct in its ruling. There are three proposals in the January Convention which will be voted upon by all members of the Association, who will have full knowledge as to exactly and specifically what specific part of the NCAA operation is in question as being a condition of membership.

Bill L. Atchley (Clemson University): I arrived a little bit late this year. Let me make some observations, since there have been some accusations here this morning. I came here, as an executive, to be part of the body which I have a lot of interest in. I also heard the gentleman over here earlier say that we should not be here at all, that we came here because of a threat.

I did not come here because of threat. I did not come here because it was a waste of time. I came here because I was under the impression that this special assembly would give fair treatment to everybody and that there would be something beneficial to come out of this assembly.

Now if anyone came here just to come, such as the gentleman mentioned a while ago, and maybe that is the only reason they came, to vote no, and if I see that every time something comes up it is thrown aside without being debated, there is something wrong with this organization.

This organization was developed to govern. It was also developed for the protection of rights, and I have found in the recent few weeks that the protection of rights has been neglected. I believe this group, regardless of what your vote might be, whatever executive officer that you report to, I believe you would agree with me that everybody should have an opportunity within the organization to speak and everything coming before this organization at least should have an opportunity to be heard. If you do anything less than that, you don't even uphold the Constitution of the United States, much less the constitution of this body; and I think we all ought to have a right to be heard, in a fair and just way.

For any sort of body such as the chair, or whatever, to hold someone down in a proposal and not let it be heard is wrong. They talk about property rights. Football television is property rights; and I don't care about all the other definitions that were brought up yesterday, that you can say this is property rights or that is property rights. All that is is a smoke screen.

Property rights that we are talking about here may be the football television, and let's tell it the way it is. By golly, let's come to some conclusion. If you continue to have meetings like this and continue to push down anything to be discussed, your executive officers won't come, because they have other important things to do.

It is about time you do something to organize this body in a democratic way and not just let a few from certain areas control it. So let's speak up and speak up now and allow Proposition No. 9 to come before this body. You can do what you want with it; but, by golly, at least you can say you were fair.

Joseph B. Johnson (Grambling State University): It is quite obvious that the NCAA Council has done its homework from a

legalistic as well as a constitutional standpoint, and I voice the sentiment that we move on to the business of upholding of the chair.

E. John Larsen (University of Southern California): A previous speaker alluded to the presence of a resolution, Proposal No. 10, in the Convention proceedings. Constitution 6-4 deals with resolutions and permits the submission of such a resolution in the case of a temporary nature, as this one is. I did not want that to be a matter, perhaps misguiding delegates on the propriety of resolutions in this Convention proceeding.

Richard W. Burns (University of Texas, El Paso): I move the question.

President Frank: Before we move the question or vote on the motion, Robert's Rules allows the chair to speak twice on an appeal; and, in accordance with Robert's Rules of Order, I would just like to make one final statement.

This body will have the opportunity to debate this proposal fully and completely in approximately one month from now; and, in response to what one speaker said earlier, the NCAA constitution specifically states that this body will follow Robert's Rules of Order and, on the question of ruling out of order, I quote from Robert's Rules, "With the possible exception of details of minor portions, only business mentioned in the call of the special meeting can be transacted at such a meeting. If, at a special meeting, it becomes urgent in an emergency to take action to which no notice was given, that action, to become legal, must be ratified by the organization at a regular meeting or, if ratification also cannot wait, at another special meeting properly called for that purpose."

The question has been called for. Shall the ruling of the chair be sustained, and "yes" is in favor of the chair.

[The motion to sustain the ruling of the chair was approved, and Proposal No. 9 (pages A-8-9) was ruled out of order.]

Resolution: Football Television

Thomas B. Day (San Diego State University): I would like to move that the business be reordered and that we bring up No. 12 at this point.

[The motion was seconded and defeated.]

Henry T. Lowe (University of Missouri, Columbia): We are asking that Item No. 14, as amended, be moved ahead for action by the Convention at this time.

[The motion was seconded and defeated.]

Charley Scott (University of Alabama): I move, on behalf of the Council, that Proposal No. 10 be adopted.

[The motion was seconded.]

I spoke at length yesterday to try to explain the provisions of Resolution No. 10, and I will not go into that detail today.

Basically, Proposition 10 contains two items which have taken place already. The Council has placed in the 1982 Convention Official Notice Proposition 47, which will give the membership the opportunity to vote on the status in football television by institutions and to vote on

establishing a restructured television committee, which reflects restructuring of the Association that you have voted this morning and will provide autonomous operation by divisions within the committee.

Additionally, Proposition 10 advises the Football Television Committee to be active in the education of the members, with a clause for renegotiation with ABC and CBS to the extent possible, with three specific areas in mind.

It calls for a two-year limit on the developing supplementary television programs, which has already been placed in motion. These matters are responsive to input from the membership from various forums. Those forums include the meeting of the chief executive officers in September, the input from the College Football Association, the hearings held by the NCAA Television Committee and the individual input. There may be other mechanisms which were used in providing that input for which this resolution is responsive.

One item in the resolution seemed to develop some apprehension, that is, the membership voting within Division I. Proposal No. 47 in the January program seems to me to be the place to focus that concern. If the Council has not responded adequately to the input from the membership, that proposition can be modified or delayed, according to the wishes of the membership in January. The voting will not be an issue for some time.

I say that in the sense of an actual vote on a plan. As I view the process through which the television program is developed, the most important element in the process is instruction from the membership to the representatives on the Football Television Committee. I related that to you yesterday when I pointed out that the current Football Television Committee and Council have responded positively to every condition which you put before them, from what the CFA membership told us they wanted changed.

I call on the entire membership to support this proposition so as to say to the committees concerned, "Yes, these items do concern us and go do what you are now directed to do."

I call on the CFA membership, specifically, to support this proposition, to confirm what you said to us in varying degrees of strong support a little more than a year ago.

Mr. Lowe: We would like to ask if it is in order that the voting on this, at the appropriate time after discussion, be divided so that the final resolved clause would be voted on separately. If it is appropriate to make that motion, I will do so now.

President Frank: You can make the motion and it is not debatable. It requires a majority vote. Did you make the motion?

Mr. Lowe: I did.

[The motion was seconded.]

President Frank: Just so that the membership understands, Henry, would you indicate how you wanted it divided?

Mr. Lowe: The final paragraph in my booklet, on page 21, reads, "Be it finally resolved, that the NCAA Football Television Committee shall initially limit its contractual commitments . . .," etc.

It is that clause that we would ask to be voted on separately.

[The motion to divide the question was defeated.]

Warren Casun (University of Florida): May I rise to a point of order and ask a question before the vote? If No. 10 passes, does that make No. 12 and No. 14 moot? I believe you were discussing that yesterday.

President Frank: All of No. 12 would be moot except items 1 and 2, if No. 10 passes. The entire Proposal No. 14 would be moot.

Mr. Day: I would like to make the point now that I tried to make earlier in reordering the agenda, that during the discussion yesterday in the round table, it struck me that the proposition labeled No. 12 was somewhat more pointed and specific in its exhortation to the Council in bringing things before this body in January.

It is certain that representatives of the Council vote in the defense of their Proposition No. 10. In fact, they rose repeatedly in its defense and left me totally confused in what they were defending. There was at least some indication when they rose, that Nos. 10 and 12 are somehow equivalent; and your statement that No. 12 would become moot if No. 10 was voted would support that.

If that is the case, No. 12 would be better. I would urge this body to defeat No. 10 and to support No. 12.

[Resolution No. 10 (pages A-9-10) was approved.]

[Resolution No. 11 (pages A-10-11) was withdrawn.]

Resolution: Football Television

President Frank: As I indicated, everything in No. 12 is moot except items 1 and 2 in the second section of No. 12.

John R. Davis (Oregon State University): I move the adoption of parts 1 and 2 of Amendment 12, as you have indicated.

[Items 1 and 2 in the second portion of Resolution No. 12 (page A-11) were approved.]

[Resolution No. 13 (pages A-11-12) was withdrawn.]

[Resolution No. 14 (page A-12) became moot with the adoption of No. 10 and a portion of No. 12.]

Division I Criteria

DeLoss Dodds (University of Texas, Austin): On behalf of the NCAA Council and the Special Committee on NCAA Governance, I move the adoption of Proposal No. 15.

[The motion was seconded.]

This matter was discussed in depth yesterday during the round table. Issues were well defined. If adopted, it will require all members of Division I to sponsor the same minimum number of sports. It seems reasonable and correct to amend Article 10 of the bylaws to require members of the same division to sponsor the same minimum number of sports. Currently, 187 Division I members sponsor a minimum number of eight sports; 89 do not.

There appears to be little logic in the present requirement that enables an institution that doesn't offer football in Division I to

sponsor only six sports, while an institution that sponsors football is required to sponsor eight.

The issue is that all institutions competing in Division I do so under the same rules and requirements. We urge the adoption of the Amendment No. 15.

Victor Bubas (Sun Belt Conference): In this particular proposal, the purpose is to have Division I institutions have the same number of sports; and I think, with those that have seven sports or less, we indeed would know their thinking on this proposition for the most part. I would like to appeal to those who have eight sports or more; and I would like you to help us go toward quality, not quantity. That is the purpose of the proposal, quality.

Yesterday, committeeman Dick Perry of Southern Cal said many football institutions that do not have huge crowds are struggling, too. We know that is true. The quickest way and surest way to relieve this is not to have us add sports but to help us defeat Proposal No. 15 and then find the quickest legislative way to propose six sports for the football institutions. You will have no trouble getting the votes at that time to pass it.

I am concerned that, if this passes, institutions will take the least expensive route to comply to meet the requirements, take money away from the existing sports and make a mockery of the intent of the proposal. We want to improve what we have. Let us help you improve the areas that you choose to improve. We will help you do that if you will help us defeat Proposal No. 15. I advocate the defeat of Proposal No. 15.

G. B. Wyness (West Coast Athletic Association): I speak in opposition to Proposal No. 15. First, the obvious economics which we all face have been dramatic, as is obvious by the number of Division I institutions that have discontinued a number of the sports in the last two years.

Second is a concern we share for the development of more limited programs. I emphasize the initial position of this body of legislation, which would require a similar minimum-sport requirement for men's as well as women's programs.

Third, a number of Division I members have football programs in other divisions, and that commitment is recognized by the present wording of this bylaw, whereas the proposal before you would require eight sports in Division I, not taking into consideration the sponsorship of non-Division I programs.

I share the belief of two of the speakers about equal minimum number of sports for Division I membership. I would hold that six sports is a more realistic number at this time. I, therefore, urge defeat of Proposal No. 15.

Cecil N. Coleman (Midwestern City Conference): The presenter of Bylaw 15 or the amendment to No. 15 indicates the number eight and spoke to the point that we should all be the same in Division I, and I wonder why. We are not. It is one of the great strengths of this organization that some are different from others; and we have recog-

nized that many times in the NCAA Manual, which is replete with indications that great differences exist in this Association.

I have been in St. Louis the past couple of days. It wouldn't matter where I had been in this country. You look on the front page of the newspapers and any magazine, and you find out what is happening to the economy of the country. To get it closer to home, you look in the Chronicle of Higher Education, and you see some of the problems that some of the institutions and the states are having with state legislation in not making the appropriations to higher education. They are dropping complete programs. They are losing millions of dollars. They are turning tenured faculty loose, and I think passing this proposition would really hurt a number of us at home.

For those of you concerned about Division I basketball institutions hurting the upper-tier Division I programs, don't. Your budgets have always been much greater. It will always be thus. There is no sense in our kidding ourselves that it is going to be any different. We are not a threat to you. We would like to do the very best we can with the programs that we are presenting at the present time. We urge your support to defeat this proposition.

Robert M. Getchell (Hofstra University): We are a Division I member at present, who maintains a football program in another division with eight sports. Must we add a sport if this legislation passes?

President Frank: Yes.

Mr. Getchell: I have heard a lot about commitment this morning, especially with regard to football programs; and I would suggest that there are a number of institutions that maintain programs. I know we do at our university. We maintain eight athletic programs, seven in Division I and one in Division III. We maintain a good-size stadium complex. We play 10 games and we have made a commitment to football. It would be difficult for us to add a sport at this time.

I would recommend the defeat of this Resolution 15.

Stephen Horn (California State University, Long Beach): A lot of us this morning let the elimination of the 12-sport proposal go by because we knew we didn't have the votes, and we tried to salvage what we could in Proposition No. 5. I must say, I am very sympathetic with the plight several have mentioned; but then I think that what the NCAA ought to stand for is diversity and breadth in intercollegiate athletics, despite the financial problems, and not simply eliminating, as we have seen across this country, sport after sport, and in some cases baseball and swimming and other sports, all for the almighty dollar and putting it into the huge revenue-producing sports, if there be any on the campus. I would hope that this Convention would stand for eight sports as a minimum in terms of Division I, that we ought to preserve a few sports.

I think there are other student-athletes that deserve a chance to try and have an opportunity to compete in this country. Without that minimum, I don't think they are going to have the chance.

Dan Offenburger (Creighton University): I think the key word is "flexibility." I think this Proposition 15 should be defeated, and I tried

to look at this from the standpoint of others than myself.

If I were a I-AA Football school now, under the action of this Convention, I think I would be very concerned about the flexibility. I think, as Mr. Perry pointed out yesterday, eight was not a magic number of sports. It was a matter of trying to get equity. In fact, I think I understand that now; and the answer to that is to defeat this proposal today and in January for all of us to come back and move I-AA requirements to six sports.

Secondly, if I were a chief executive officer, I would note this is contrary to all that is going on in higher education, in terms of the economy; and that has been reinforced by the speakers here today.

I would want the flexibility during the tough times. If I were a primary woman athletic administrator, I think I would be concerned about the future of women's athletics, in view of what is happening around the country with Title IX and other actions and government support. There is tremendous pressure on women's athletic programs.

When we go back home, if we were forced to have this proposal, it would impact severely our attempts to maintain equity between men's and women's athletics. We think this would lead to tokenism in sports. I looked at the budget commitments. I have looked at it at comparable institutions. Because we have fewer sports, I think there was an assumption that we made less commitment. Our commitment stands on its own merits; and it is a matter of, on a local level, how we apply the sports.

What you will do is probably force tokenism. We don't want to get into that. I think if I were a student I would be concerned about this. For instance, at Creighton University, we have eight schools and colleges. We have medicine, pharmacy, dentistry and law. We have club sports that involve substantial sports, crew, rugby, rifle; we have had golf and a lot of our professional students don't want us to turn them into varsity sports. In our situation, that is a better way to meet real students' needs and wants.

Don't worry about us in Division I basketball. We are going to be there even if we have token sports, but I don't think that is what this Association wants to foster. Let's defeat No. 15 and move in January to balance out the six-sport requirement for Division I-AA.

Joseph H. McMullen (Towson State University): We have 13 men's sports, 11 women's sports. I am against this proposal because I think we are inconsistent; and, as my old friend and associate, Joe Paterno, said, "We are in the real world."

I don't think he knows what it is because I worked there for six years, and it is very different from most of the places that I have worked—and in a positive way, Joe.

I think it is totally unfair for us, in Proposition 15, to say that 12 sports does not measure the commitment of the football-playing schools and then come here and say that eight sports means that basketball-playing schools are making a commitment. Let's at least get a degree of consistency in what we are saying.

The real world says that we need to retrench. This is taking place all

over the world in education. Many smaller schools with lesser sports are making a greater commitment than large schools with tremendous budgets are doing when they have eight sports. It is irrelevant to what we are talking about. I move we defeat Proposition 15.

[Proposal No. 15 (page A-13) was approved by Division I, 145-127.]

Division I Basketball Criteria

J. O. Coppedge (U.S. Naval Academy): On behalf of the Council, I would move adoption of No. 16.

[The motion was seconded.]

There are two goals in this proposal. One is to make membership in Division I more responsive and to slow the growth of that division, which has increased by almost 40 members in the past four years. The second is to ensure each Division I member plays a reasonable number of games in the home area, thereby assuring that its program is devoted to the student population.

[Proposal No. 16 (pages A-13-14) was approved by Division I.]

Division I Automatic Qualification

Charles H. Samson (Texas A&M University): On behalf of the Council, I move the adoption of Proposal No. 17.

[The motion was seconded.]

As noted in the printed program, Bylaw 5-7 now states the conference, to be eligible for automatic qualification in basketball, "must be an allied conference which determines a conference champion in at least six sports." Under the present bylaw, the requirement of conference sponsorship of six sports could be satisfied by the sponsorship of only individual sports, in addition to basketball. Team sports require a greater program commitment than individual sports. We think it is fair that there be a minimum standard requirement for conferences that seek automatic qualification, and this proposal would require that conferences sponsor at least two team-sport championships.

[Proposal No. 17 (pages A-14-15) was approved by Division I.]

Division I Automatic Qualification

David R. Gavitt (Providence College): On behalf of the Council, I would like to move adoption of Proposal No. 18.

[The motion was seconded.]

Ernest C. Casale (Temple University): I would like to move adoption of an amendment to Amendment 18-1.

[The motion was seconded.]

Proposal No. 18-1 is simple. It simply changes the effective date to September 1, 1983. Somebody referred to flexibility; and we feel, with this proposal, there is no such ability for the institutions whose schedule is set for the 1983 season. This amendment would force us to go to a minimum of 16 games. We now have 11. That means we must add five games between now and the start of 1982-83 season.

If this legislation is good, I think it will not hurt anything. We are not

a johnny-come-lately conference. We are not just organized to get an automatic bid. We have had automatic qualifiers since the NCAA has had such things or at least an opportunity for same.

Now, unless the date is not changed, we do have serious problems, though I understand from the chair yesterday that we might have a possibility of a waiver from the Council. I would think that this should not be necessary, and I urge the adoption of this No. 18-1.

[Proposal No. 18-1 (page A-15) was approved by Division I.]

Proposal No. 18 calls for double-round-robin play to be implemented for all conferences seeking automatic qualification for Division I Men's Basketball Championship. I think the reasons for this have been fairly widely discussed.

There is a general belief on the basketball committee, among others, that conferences seeking automatic qualification should meet the same basic requirements, and single-round-robin obviously gives them a number of scheduling advantages. I urge that this amendment be adopted. I think there are presently only two or three conferences that are affected, and this would bring everyone into line with a complete double-round-robin commitment.

[Proposal No. 18 (page A-15) was approved by Division I as amended by Proposal No. 18-1.]

[Proposal No. 19 (pages A-15-16) was withdrawn.]

[Proposal No. 20 (pages A-16-17) was withdrawn.]

[Proposal No. 21 (pages A-17-18) became moot with the defeat of No. 2.]

[Proposal No. 22 (page A-19) became moot with the defeat of No. 2.]

[Proposal No. 23 (pages A-19-20) became moot with the defeat of No. 2.]

[The Convention was adjourned at 11:32 a.m.]

Appendix A

4th Special Convention

LEGISLATIVE PROPOSALS

[Note: In the following proposals, those letters and words which appear in *italics* are to be deleted and those letters and words which appear in **bold face** are to be added. All proposed amendments shall be effective as indicated; the term "Immediately" means that the legislation, if adopted, becomes effective upon adjournment of the Convention. All page numbers listed refer to the corresponding pages in the 1981-82 NCAA Manual. All votes were by show of paddles unless otherwise indicated. *Only those proposed amendments upon which the 4th special Convention took some action appear in this appendix. Amendments to amendments follow immediately the proposal to which they relate.*]

NO. 1 COMPLIANCE WITH CRITERIA

Bylaw: Amend Article 9, Section 1-(c), page 102, as follows:

[Common bylaw, all divisions, divided vote]

"(c) By amendment to Bylaw 10, the members of each division may establish criteria for membership and competition by sport in that division.

"(1) **In establishing criteria, the members of the division shall specify the effective date and compliance period, if any.** Each institution, either as a member of that division or as an institution which competes in a sport in that division per Bylaw 9-3, shall *have two years from the effective date of the criteria to conform to the requirements of the criteria by that effective date or by the end of the compliance period, whichever is later.* Amendments to Bylaw 10 membership criteria shall be effective the September 1 following adoption **or a subsequent September 1.**

"(2) If *after two years* an institution has not conformed to the adopted criteria of its division **by the effective date or the end of the prescribed compliance period,** the Classification Committee shall reassign the institution's membership or its sport to a division for which it qualifies; if either the member or its sport does not qualify for any division, the institution shall be reclassified in accordance with paragraph (e) of this section."

Source: NCAA Council.

Intent: To eliminate the prescribed compliance period for all membership criteria and to provide that each proposed amendment to the criteria shall specify the effective date and compliance period (if any).

Effective Date: Immediately.

Action: Approved by all divisions.

NO. 2 MEMBERSHIP CLASSIFICATION—DIVISION IV

Bylaws: Amend Article 9, Section 1-(a), page 102, as follows:

[Common bylaw, all divisions, divided vote]

“(a) Each active member institution shall be designated as a member of Division I, Division II *or*, Division III **or Division IV** for certain legislative and competitive purposes. The Council, by a two-thirds majority of its members present and voting, may permit an institution’s women’s athletic program to be classified in a division other than its membership division if it deems that unusual circumstances warrant such action. In the sport of football only, Division I shall be divided into Division I-A and Division I-AA; and the membership of these subdivisions shall vote separately on legislative issues which pertain only to the sport of football.”

Source: University of Arkansas, Fayetteville; Clemson University; University of Georgia; University of Nebraska, Lincoln; University of Oklahoma; Pennsylvania State University, and one other Division I member institution.

Intent: To create a new Division IV.

Effective Date: Immediately.

Action: Defeated by all divisions.

NO. 3 RESOLUTION: DIVISION IV

[All divisions, common vote]

“Whereas, the NCAA membership has exceeded 900 for the first time in the Association’s 75-year history; and

“Whereas, the NCAA has expanded its scope of operations to include intercollegiate athletics for women; and

“Whereas, there is a significant diversity among the Association’s members as to their philosophy and approach to intercollegiate athletics; and

“Whereas, there is a desire on the part of those universities with a major football program to remain members in good standing of the NCAA; and

“Whereas, there has been a recognition by the NCAA Council that there is a need to restructure the Association to accommodate the different interests that exist among the Association’s diversified membership; and

“Whereas, there is a need to allow institutions to have a more direct opportunity to develop legislation which impacts upon the operation of their athletic programs;

“Now, Therefore, *Be It Resolved*, that a new legislative division shall be created to be designated as Division IV, with the understanding that until the 1983 NCAA annual Convention, the members of the newly created Division IV shall adhere to those bylaws related to recruiting, extra events, playing and practice seasons, eligibility, financial aid awards and personnel and squad limitations as would otherwise be applicable to members of Division I-A and Division I; further, that

Division IV members may enter teams and individuals in Division I championships and personnel from Division IV institutions may continue to be appointed or elected to serve on appropriate committees in those positions that may be designated for Division I.

“*Be It Further Resolved*, that the members of Division IV shall be those NCAA member institutions which desire to be members and which:

1. Do not make an award of financial aid (for which the recipient’s athletic ability is considered in any degree) in excess of the number permitted by the provisions of Bylaws 6-5-(a), (b), (c), (d) and (e).
2. Conduct regular-season competition under eligibility rules at least as stringent as those provisions of Bylaw 5 applicable to members of Division I.
3. Meet the requirements of subparagraphs (a), (b), (c) and (d) below.

(a) The institution must sponsor a minimum of eight varsity intercollegiate sports, including football, with such sponsorship based on the provisions of Bylaw 10-4.

(b) The institution must schedule and play at least 70 percent of its football games against current members of Division I-A.

(c) The average attendance for the institution’s home football games for the immediate past three-year period shall be a minimum of 20,000 in paid attendance per game.

(d) The stadium utilized regularly for the institution’s home games must contain a minimum of 30,000 permanent seats.

(e) If an institution fails to meet the criteria set out in subparagraphs (b), (c) and (d) above, it may become a member of Division IV if it is a member of a football-playing conference having a minimum of seven football-playing institutions, more than half of which do meet each of the criteria set forth in those subparagraphs.

“*Be It Finally Resolved*, that the NCAA Classification Committee shall determine prior to the 76th annual Convention which member institutions qualify for membership in Division IV under the criteria set forth above; the NCAA Council shall grant exceptions, under Bylaw 9-5, to the normal deadlines for applications for change of division membership to those qualified institutions wishing to be members of Division IV, and the Division IV member institutions may vote at the 76th annual Convention to amend Bylaw 10 to establish Division IV membership criteria.”

Source: University of Arkansas, Fayetteville; Clemson University; University of Georgia; University of Nebraska, Lincoln; University of Oklahoma; Pennsylvania State University, and one other Division I member institution.

Action: Moot due to defeat of No. 2.

NO. 4 DIVISION I-A FOOTBALL CRITERIA

Bylaws: Amend Article 10, Section 1-(e), pages 108-109, as follows:

[Division I-A football only]

“(e) An institution desiring to be a member of Division I-A Football must meet the requirements of subparagraphs (1) *and*, (2)

below and one of the three criteria contained in subparagraphs, (3), and (4) and (5) below. An institution which was a member of Division I as of January 13, 1978, shall conform to these criteria no later than January 13, 1981. An institution which applies for Division I membership subsequent to January 13, 1978, must meet these criteria prior to making application.

[Subparagraphs (1) and (2) unchanged.]

"(3) The institution must have averaged more than 17,000 in paid attendance per home football game in the immediate past four-year period; or,

"(4) The stadium utilized regularly for the institution's home games must contain a minimum of 30,000 permanent seats, further, the institution must have averaged 17,000 in paid attendance per home football game at least one year in the immediate past four-year period; or,

"(5) The institution must sponsor 12 or more varsity intercollegiate sports, including football and basketball, in Division I, with such sponsorship based on the provisions of Section 4 of this article."

[Subparagraph (6), renumbered as (5), unchanged.]

Source: All eight members of the Big Eight Conference.

Intent: To require an institution to meet both the 17,000 home attendance (per game in the immediate past four-year period) requirement and the 30,000 permanent seats requirement for Division I-A Football classification and to delete the 12-sport option from the Division I-A criteria.

Effective Date: September 1, 1982.

Action: Defeated by Division I-A Football, 55-89. Motion for roll-call vote was defeated.

NO. 4-1 DIVISION I-A FOOTBALL CRITERIA

Bylaws: Amend Proposal No. 4; Bylaw 10-1-(e), pages 15-16, by adding new subparagraph (5), as follows:

[Division I-A football only]

"(5) Exceptions to the Division I-A Football criteria set forth above may be granted as follows:

"(i) An institution that fails to meet the home-attendance requirement in subparagraph (3) may retain Division I-A Football classification if it is a member of an allied conference in which at least six of the conference member institutions sponsor football and more than half of the football-playing conference member institutions meet the attendance criterion for the applicable period.

"(ii) If an institution fails to meet the criteria set out in subparagraphs (3) and (4) above, it may become a member of Division I-A if it can establish that it has made a significant commitment to its intercollegiate football program and if its application for membership

in Division I-A is approved by at least two-thirds of the members of Division I-A."

Source: Big Eight Conference.

Action: Approved by Division I-A Football.

NO. 4-2 DIVISION I-A FOOTBALL CRITERIA

Bylaws: Amend Proposal No. 4; Bylaw 10-1-(e), pages 15-16, by adding new subparagraph (5), as follows:

[Division I-A football only]

"(5) An institution that fails to meet the home-attendance requirement in subparagraph (3) may retain Division I-A Football classification if it has averaged 20,000 in paid attendance for all of its games, at home and away, for the applicable period. Such an institution must play at least four home games in any year in which it utilizes this provision."

Source: University of California, Berkeley; University of California, Los Angeles; University of Oregon; Stanford University; University of Washington; Washington State University.

Action: Withdrawn.

NO. 5 DIVISION I-A FOOTBALL CRITERIA

Bylaws: Amend Article 10, Section 1-(e), pages 108-109, as follows:

[Division I-A football only]

"(e) An institution desiring to be a member of Division I-A Football must meet the requirements of subparagraphs (1) and (2) below and one of the three **two** criteria contained in subparagraphs (3), and (4) and (5). An institution which was a member of Division I as of January 13, 1978, shall conform to these criteria no later than January 13, 1981. An institution which applies for Division I membership subsequent to January 13, 1978, must meet these criteria prior to making application.

[Subparagraphs (1), (2), (3) and (4) unchanged.]

"(5) The institution must sponsor 12 or more varsity intercollegiate sports, including football and basketball, in Division I, with such sponsorship based on the provisions of Section 4 of this article.

"(5) Exceptions to the Division I-A Football criteria set forth above may be granted as follows:

"(i) An institution that fails to meet the home-attendance requirement in subparagraph (3) or (4) may retain Division I-A Football classification if it is a member of an allied conference in which at least six of the conference member institutions sponsor football and more than half of the football-playing conference member institutions meet the attendance criterion for the applicable period.

"(ii) An institution that fails to meet the home-attendance requirement in subparagraph (3) or (4) may retain Division I-A Football classification if it has averaged 20,000 in paid attendance for all of its

games, at home and away, for the applicable period. Such an institution must play at least four home games in any year in which it utilizes this provision.

"(6) (iii) The Council, by a two-thirds majority of its members present and voting, may grant exceptions to the Division I-A Football criteria set forth in subparagraph (4) above in cases where circumstances are beyond the control of the institution.

"(6) If the NCAA Classification Committee concludes that an institution does not meet the Division I-A Football criteria or the exception provisions, the institution may request a waiver of the criteria from the membership of Division I-A Football, as follows:

"(i) The institution shall submit its request for a waiver to the Association's executive director, with the request to be signed by the institution's chief executive officer and received in the national office not later than September 15. The request shall include pertinent information supporting the institution's request. It shall be the institution's responsibility to distribute that information to the chief executive officer, faculty athletic representative and director of athletics at each Division I-A Football member institution, as well as to the executive officer of each allied member of that subdivision, not later than December 1.

"(ii) The institution's chief executive officer, faculty athletic representative or director of athletics must appear before the membership of Division I-A Football at the next NCAA Convention under conditions prescribed by the Division I Steering Committee.

"(iii) The membership of Division I-A Football will vote to accept or reject the request for a waiver of the criteria, with a majority vote of the members present and voting required.

"(iv) If the Division I-A Football membership votes to admit the institution to Division I-A Football classification, such classification shall become effective September 1 following the Convention. The Division I-A Football membership shall specify the period for which the waiver is granted.

"(v) If the Division I-A Football membership votes to reject the institution's request, the provisions of Bylaw 9-1-(d) shall become effective."

Source: NCAA Council (Special Committee on NCAA Governance, Organization and Services).

Intent: To delete the 12-sport option in the criteria for Division I-A Football classification, replacing it with two exception provisions and a waiver opportunity.

Effective Date: September 1, 1982.

Action: Approved by Division I-A Football.

NO. 6 RESOLUTION: WAIVER OPPORTUNITY

[All divisions, common vote]

"Whereas, the proposed procedure by which an institution may appear before the Division I-A Football membership to request a waiver of the Division I-A Football criteria cannot become effective until September 1, 1982, under the provisions of Bylaw 9-1-(c)-(1); and

"Whereas, some institutions may wish to avail themselves of such an opportunity at the NCAA annual Convention in January 1982 to attempt to retain Division I-A Football classification for the 1982 season;

"Now, Therefore, Be It Resolved, that an institution may appear before the Division I-A Football membership to request such a waiver at the 1982 annual Convention by submitting its request for a waiver, including all pertinent supporting information, to the Association's executive director not later than December 21, 1981. The institution then shall distribute that information to the chief executive officer, faculty athletic representative and director of athletics at each Division I-A Football member institution, as well as to the executive director of each allied member of that subdivision, not later than December 28, 1981, and may appear before the Division I-A Football membership at the 1982 annual Convention under conditions and procedures prescribed by the Division I Steering Committee. Any waiver granted under this procedure shall be effective only for the 1982-83 academic year."

Source: NCAA Council.

Action: Approved.

NO. 7 DIVISION I-A FOOTBALL CRITERIA

Bylaws: Amend Article 10, Section 1-(e)-(3) and (4), page 109, as follows:

[Division I-A football only]

"(3) The institution must have averaged more than 17,000 15,000 in paid attendance per home football game in the immediate past four-year period; or

"(4) The stadium utilized regularly for the institution's home games must contain a minimum of 30,000 25,000 permanent seats; further, the institution must have averaged 17,000 15,000 in paid attendance per home football game at least one year in the immediate past four-year period; or"

Source: All eight members of the Ivy League.

Intent: To reduce from 17,000 to 15,000 the minimum attendance requirement and from 30,000 to 25,000 the minimum stadium-size requirement for Division I-A Football classification.

Effective Date: September 1, 1982.

Action: Withdrawn.

NO. 8 MAXIMUM AWARDS

Bylaws: Amend Article 10, Section 1-(a), page 108, as follows:

[Division I-AA football only]

“(a) An institution desiring to be a member of Division I shall not make an award of financial aid (for which the recipient's athletic ability is considered in any degree) in excess of the number permitted by the provisions of Bylaws 6-5-(a), (b), (c), (d) and (e). [Note: A Division I member institution that has moved its intercollegiate football program from Division I-A Football to Division I-AA Football as a result of amendments to paragraph (e) of this section at the 1981 special Convention must conform to the Bylaw 6-5-(d) financial aid limitations not later than the 1983-84 academic year. The institution shall continue to conform to the annual limit of 30 on the number of initial financial aid awards which may be made to student-athletes in the sport of football, shall continue to distribute its financial aid awards to not more than 95 student-athletes in the sport and, during the 1982-83 academic year, may exceed the annual limit of 75 on the value of financial aid awards in effect in the sport by awarding not more than 85 equivalent awards. An institution that exceeds the limit of 75 during the 1982-83 academic year shall not be eligible for the 1982 National Collegiate Division I-AA Football Championship, but shall be eligible for any television programs subject to the Association's control or administration.]”

Source: NCAA Council.

Intent: To permit an institution that moves its football program from Division I-A to Division I-AA as a result of amendments adopted at this special Convention to exceed the Bylaw 6-5-(d) limit of 75 on the number of equivalent financial aid awards by awarding not more than 85 awards during the 1982-83 academic year and to specify that such an institution shall not be eligible for the 1982 National Collegiate Division I-AA Football Championship if it exceeds the 75 limit, but shall remain eligible for NCAA television programs.

Effective Date: September 1, 1982.

Action: Approved by Division I-AA Football.

NO. 9 PROPERTY RIGHTS

Constitution: Amend Article 2 by adding new Section 3, page 8, as follows:

[All divisions, common vote]

“Section 3. Property Rights. (a) Notwithstanding any other provision of this constitution, any provisions of the bylaws of the National Collegiate Athletic Association or any official interpretation (commonly called ‘O.I.’), mem-

bership in the Association shall never be conditioned upon the assignment to the Association, or to any officer, agent, employee, committee or council of the Association, or to any other association, corporation, partnership or individual, of the title to, or the right to dispose of or restrict the disposition of the title to, either in whole or in part, any form of property right of a member institution.

“(b) In no event shall any member institution be subject to disciplinary action by the Association for the institution's individual or collective exercise of its property rights outside the Association.”

Source: University of Arkansas, Fayetteville; University of Oklahoma; Pennsylvania State University; Rice University; Southern Methodist University; University of Texas, Austin, and one other Division I member institution.

Intent: To clarify ownership of property rights of NCAA member institutions.

Effective Date: Immediately.

Action: Ruled out of order. Ruling of chair sustained on appeal.

NO. 10 RESOLUTION: FOOTBALL TELEVISION

[All divisions, common vote]

“Whereas, the Special Committee on NCAA Governance, Organization and Services has reviewed the results of the 1978 Division I football restructuring legislation; and

“Whereas, said governance committee has concluded that the restructuring proposals adopted at that time creating subdivisions I-A and I-AA have not worked as intended and now has recommended additional criteria for consideration by the NCAA membership to advance the original concepts of I-A and I-AA football subdivisions; and

“Whereas, in its consideration of these matters, the committee has recommended that the manner in which the Association's membership votes on football television controls should be reviewed; and

“Whereas, the NCAA Council has (i) endorsed the legislative recommendations of the governance committee as they pertain to restructuring Division I of the Association; (ii) called a special Convention of the Association to be held December 3-4, 1981, to consider said legislation, and (iii) concurred that the NCAA should address the manner in which the membership votes on football television controls;

“Now, Therefore, Be It Resolved, that the 1981 NCAA special Convention adopt the following principles:

1. The NCAA Council shall submit legislation at the Convention to amend the bylaws so that Division I football (i.e., I-A and I-AA), Division II and Division III each shall determine its own football television policies through the Association's regular division voting processes, subject to the applicable rescission provisions of the bylaws.

2. The Football Television Committee of the Association, through legislative proposals advanced by the Council, will be organized on a divisional basis to reflect the results of the restructuring of Division I football, and each division of the committee may be autonomous in determining the recommendations that it may wish to make to the respective divisions pertaining to football television policies.

3. The Football Television Committee may conduct a series of seminars to educate and receive feedback from the membership regarding the development of each NCAA Football Television Plan.

"Be It Further Resolved, that consistent with the stated objectives of the NCAA football television principles, the Football Television Committee shall renegotiate (to the extent that such renegotiation is practical and feasible) the existing contracts for the 1982-1985 football seasons with the ABC and CBS television networks to the end that:

1. The Division I-AA membership (as altered by the effects of the restructuring legislation) shall be accorded proportionately in the 1982-1985 programs the minimum number of football television appearances which were projected in 1977 on the basis of the anticipated Division I-AA membership at that time, including a minimum guarantee of two appearances for members of each allied football-playing conference in I-AA each two years;
2. During such renegotiations, further attention will be given to the number of different teams of Division I-A which shall be required to be televised under the two-network programs of the 1982-1985 contracts and whether increased flexibility in appearances is desirable under the two-network concept, and
3. Attention will be given in such discussions to the possibility of providing greater flexibility to member institutions to arrange television opportunities in a localized manner via so-called conventional and nonconventional delivery systems.

"Be It Finally Resolved, that the NCAA Football Television Committee shall initially limit its contractual commitments for the supplementary television series authorized by the 1982-1985 principles to two years (1982-1983), subject to an additional two years (1984-1985) to be negotiated following the experience of the first two years."

Source: NCAA Council.

Action: Approved. Motion to divide was defeated. Motion to reorder agenda to consider Nos. 12 and 14 before No. 10 was defeated.

NO. 11 RESOLUTION: FOOTBALL TELEVISION

Amend Proposal No. 10, paragraph concerning the Football Television Committee, as follows:

[All divisions, common vote]

"3. The Football Television Committee of the Association, through legislative proposals advanced by the Council, will be organized on a divisional basis to reflect **proportionately** the results of the restructuring of Division I football, and each division of the committee may be autonomous in determining the recommendations that it may wish to make to the respective divisions pertaining to football television policies."

Source: All nine members of the Southern Conference.

Action: Withdrawn.

NO. 12 RESOLUTION: FOOTBALL TELEVISION

[All divisions, common vote]

"Whereas, the NCAA Council has sponsored legislation at this special Convention designed to restructure the composition of Division I football; and

"Whereas, the 1982-1985 NCAA Football Television Plan was negotiated prior to the call for this special Convention and did not take into account the Council's restructuring proposals;

"Now, Therefore, Be It Resolved, that contingent upon the enactment of legislation reorganizing Division I football in accordance with the proposals of the NCAA Council, the NCAA membership agrees to support the following principles regarding football television:

1. That the negotiating principles for NCAA Football Television Plans, and the plans themselves, henceforth be on a divisional basis and be subject to approval in each division by the football-playing members of that division.
2. That future plans developed by and for Division I football provide for increased participation by and increased revenue sharing with the members of Division I-AA, and that Division I-AA be represented on any negotiating committee of the division.

"Be It Further Resolved, that as soon as the reorganization plan reconstituting Division I football is in effect, the Football Television Committee elected for Division I be authorized to negotiate with the appropriate networks with the objective of achieving insofar as possible the following principles:

1. Greater flexibility in the number and timing of appearances by members.
2. Guaranteed number of appearances and/or revenues for participating Division I-A members.
3. Greater flexibility for member institutions to televise by conventional or nonconventional delivery systems their games to their home market areas."

Source: All 10 members of the Pacific-10 Conference.

Action: Approved in part. Items 1 and 2 in second portion of resolution were approved. Remainder of No. 12 moot due to adoption of No. 10.

NO. 13 RESOLUTION: FOOTBALL TELEVISION

[All divisions, common vote]

"Be It Resolved, that the negotiating principles for NCAA Football Television Plans, and the plans themselves, should be on a division basis and that the plans should be approved for each division by the football-playing members of that division;

"Be It Further Resolved, that future television plans, including that for 1982-1983, developed for Division I shall provide for participation by the members of Division I-AA, and Division I-AA shall be

represented on any negotiating committee(s) of the NCAA as soon as the reorganized plan reconstituting Division I-AA is in effect;

"Be It Finally Resolved, that the Football Television Committee created for Division I shall be authorized to negotiate with the appropriate networks toward achieving, insofar as possible, the following principles:

1. Greater flexibility shall be provided in the number and timing of appearances by members;
2. Guaranteed numbers of appearances and/or revenues shall be provided participating Division I-A schools;
3. Greater flexibility shall be provided member institutions to televise, by conventional or nonconventional delivery systems, their own games to their home market areas."

Source: All eight members of the Big Eight Conference.

Action: Withdrawn.

NO. 14 RESOLUTION: FOOTBALL TELEVISION

[All divisions, common vote]

"Whereas, any examination of the 1978 reorganization plan is not complete unless football television issues are addressed; and

"Whereas, the membership believes that football television is a matter to be determined by football-playing institutions only;

"Now, Therefore, Be It Resolved, that:

1. The negotiating principles for NCAA Football Television Plans shall be approved by each football-playing division under legislation adopted by each division;
2. That each division's football television committee may conduct a series of seminars to educate and receive feedback from the membership regarding the development of each NCAA Football Television Plan (e.g., separate plans for Divisions I-A, I-AA, II and III)."

Source: All eight members of the Big Eight Conference.

Action: Replaced by No. 14-1.

NO. 14-1 RESOLUTION: FOOTBALL TELEVISION

Amend Proposal No. 14, by deleting the present language and substituting the following:

[All divisions, common vote]

"Whereas, any examination of the 1978 reorganization plan is not complete unless football television issues are addressed; and

"Whereas, the membership believes that football television is a matter to be determined by football-playing institutions only;

"Now, Therefore, Be It Resolved, that:

1. The negotiating principles for NCAA Football Television Plans shall be approved by each football-playing division under legislation adopted by each such division;
2. Each football-playing division shall be responsible for determining the membership of its own television committee in such manner as to provide for one representative from each football-playing conference

holding membership in that division and proportionate representation from those institutions not affiliated with a football-playing conference which are also members of that division.

3. The football television committee for Division I-A shall be authorized to negotiate with ABC, CBS and NBC toward achieving the following principles, commencing in 1982:

- a. Greater flexibility shall be provided in the number and timing of appearances by members;
- b. Guaranteed numbers of appearances and/or revenues shall be provided participating Division I-A schools;
- c. Greater flexibility shall be provided member institutions to televise, by conventional or nonconventional delivery systems, their own games to their home market areas.

4. Each division's football television committee may conduct a series of seminars to educate and receive feedback from the membership regarding the development of each NCAA Football Television Plan (e.g., separate plans for Divisions I-A, I-AA, II and III).

5. The television committees from each division may meet jointly as deemed necessary or appropriate in order to discuss matters of mutual interest and concern and may act in concert if approved by the membership of each division."

Source: Big Eight Conference.

Action: Moot due to adoption of No. 10 and portion of No. 12.

NO. 15 DIVISION I CRITERIA

Bylaws: Amend Article 10, Section 1-(b), page 108, as follows:

[Division I only]

"(b) An institution desiring to be a member of Division I *but which does not sponsor intercollegiate football or which has its football program classified in Division II or Division III* must sponsor a minimum of **six eight** varsity intercollegiate sports in Division I, with such sponsorship based on the provisions of Section 4 of this article. An institution which was a member of Division I as of *January 14, 1981* **December 4, 1981**, shall conform to this criterion no later than September 1, 1983. An institution which applies for Division I membership subsequent to *January 14, 1981* **December 4, 1981**, must meet this criterion prior to making application."

Source: NCAA Council (Special Committee on NCAA Governance, Organization and Services).

Intent: To require all members of Division I to sponsor the same minimum number of sports.

Effective Date: September 1, 1982; subject to the compliance period specified in the legislation.

Action: Approved by Division I, 145-127.

NO. 16 DIVISION I BASKETBALL CRITERIA

Bylaws: Amend Article 10, Section 1-(d), page 108, as follows:

[Division I only]

"(d) An institution desiring to **be remain** a member of Division I may schedule and play not more than four basketball games against institutions which are not members of Division I. An institution which was a member of Division I as of January 10, 1979, and which was in compliance with the 75 percent scheduling requirement in effect prior to that date and remains in compliance with that requirement, shall conform to this criterion no later than January 10, 1982. *An institution which applies for Division I membership subsequent to January 10, 1979, must meet this criterion prior to making application.*

"(1) An institution applying for membership in Division I may schedule and play not more than two basketball games against institutions which are not members of Division I.

"(2) A member of Division I or an institution applying for membership in Division I must play at least one-third of its regular-season basketball contests in an arena used regularly for the institution's home games."

Source: NCAA Council (Special Committee on NCAA Governance, Organization and Services; Classification Committee).

Intent: To require an institution applying for Division I membership to schedule and play not more than two of its regular-season basketball games against non-Division I member institutions and to require all Division I members and applicants for membership in that division to play at least one-third of their basketball games at home.

Effective Date: September 1, 1982.

Action: Approved by Division I.

NO. 17 DIVISION I AUTOMATIC QUALIFICATION

Bylaw: Amend Article 5, Section 7, pages 87-88, as follows:

[Division I only]

"Section 7. Conference Eligibility. For a conference to be eligible for automatic qualification into any National Collegiate Division I Championship, it must meet all requirements set forth in Executive Regulation 2-6. In the sport of basketball, it must be an allied conference which determines a conference champion in at least six sports **(at least two of which must be team sports as set forth in Executive Regulation 2-6)**, and its basketball champion must be determined either by round-robin, in-season conference competition and a postseason tournament or by double round-robin, in-season conference competition."

Source: NCAA Council (Special Committee on NCAA Governance, Organization and Services).

Intent: To specify that at least two of the six sports (including basketball) in which an allied conference must determine a champion to be considered for automatic qualification in Division I men's basketball must be team (rather than individual) sports per NCAA definition.

Effective Date: Immediately.

Action: Approved by Division I.

NO. 18 DIVISION I AUTOMATIC QUALIFICATION

Bylaws: Amend Article 5, Section 7, pages 87-88, as follows:

[Division I only]

"Section 7. Conference Eligibility. For a conference to be eligible for automatic qualification into any National Collegiate Division I Championship, it must meet all requirements set forth in Executive Regulation 2-6. In the sport of basketball, it must be an allied member which determines a conference champion in at least six sports, and *its basketball champion must be determined either by round-robin, in-season conference competition and a postseason tournament or by* **it must conduct double round-robin, in-season conference competition before declaring its champion. A conference of 12 or more institutions may establish subdivisions of six or more institutions to conduct divisional competition in basketball; in such cases, each institution must conduct double round-robin, in-season competition in its own subdivision and single round-robin, in-season competition against members of the other subdivision."**

Source: NCAA Council (Special Committee on NCAA Governance, Organization and Services).

Intent: To require a conference to conduct double round-robin conference competition in the regular season if it is to be considered for automatic qualification in the Division I Men's Basketball Championship and to permit conferences of 12 members or more to subdivide for divisional competition, with each institution to play a double round-robin against members of its own subdivision and a single round-robin against members of the other subdivision.

Effective Date: Immediately.

Action: Approved by Division I as amended by No. 18-1.

NO. 18-1 DIVISION I AUTOMATIC QUALIFICATION

Bylaws: Amend Proposal No. 18; Bylaw 5-7, page 25, as follows:

[Division I only]

"Effective Date: *Immediately* **September 1, 1983.**"

Source: East Coast Conference.

Action: Approved by Division I.

NO. 19 DIVISION I AUTOMATIC QUALIFICATION

Amend Proposal No. 18, Bylaw 5-7, as follows:

[Division I only]

"Section 7. Conference Eligibility. For a conference to be eligible for automatic qualification into any National Collegiate Division I Championship, it must meet all requirements set forth

in Executive Regulation 2-6. In the sport of basketball, it must be an allied member which determines a conference champion in at least six sports, and it must conduct double round-robin, in-season conference competition before declaring its champion. A conference of 12 11 or more institutions may establish subdivisions of six five or more institutions to conduct divisional competition in basketball; in such cases, each institution must conduct double round-robin, in-season competition in its own subdivision and single round-robin, in-season competition against members of the other subdivision."

Source: All nine members of the Trans America Athletic Conference.

Action: Withdrawn.

NO. 20 NCAA COUNCIL

Constitution: Amend Article 5, Section 1-(a), pages 31-32, as follows:

[All divisions, common vote]

"Section 1. Council. The establishment and direction of the general policy of the Association in the interim between Conventions is committed to a Council of 22 30 members, including at least four women, which shall be elected at the annual Convention of the Association.

"(a) The Council shall be constituted as follows:

[Subparagraph (1) unchanged.]

"(2) *Eight* **Sixteen** members of the Council shall consist of the *eight* **16** district vice-presidents, **two from each district**, of this Association. **One vice-president in each district shall represent a Division I-A member institution and shall be elected by the Division I-A members in that district at the annual Convention to serve for a term of four years. The other vice-president in each district shall be elected by the Association at the annual Convention to serve for a term of four years.**

"(i) *The terms of no more than two district vice-presidents shall expire in any one year. The district vice-presidents representing even-numbered districts shall be elected at Conventions held in odd-numbered years; the district vice-presidents representing odd-numbered districts shall be elected at Conventions held in even-numbered years.*

[Subparagraphs (2)-(ii) and (iii) and (3) unchanged.]

"(4) Among the 20 **28** vice-presidents, **10 18** shall represent Division I members, **including at least eight from Division I-A members**; five shall represent Division II members, and five shall represent Division III members.

"(5) The 20 **28** vice-presidents shall represent their respective divisions as members of Council subcommittees identified as Division I, Division II and Division III Steering Committees."

[Subparagraphs (5)-(i), (ii), (iii) and (iv), (6) and (7) unchanged.]

Source: University of Colorado; Iowa State University; University of Kansas; Kansas State University; University of Nebraska, Lincoln; University of Oklahoma, and one other Division I member institution.

Intent: To add to the NCAA Council membership an additional vice-president from each district representing a Division I-A member institution in that district.

Effective Date: Immediately after the 76th annual Convention.

Action: Withdrawn.

NO. 21 NCAA COUNCIL

Constitution: Amend Article 5, Section 1-(a), page 31, as follows:

[All divisions, common vote]

"(a) The Council shall be constituted as follows:

[Subparagraph (1) unchanged.]

"(2) *Eight members of the Council shall consist of the eight district vice-presidents of this Association, elected by the Association at the annual Convention to serve for a term of four years.*

"(i) *The terms of no more than two district vice-presidents shall expire in any one year. The district vice-presidents representing even-numbered districts shall be elected at Conventions held in odd-numbered years; the district vice-presidents representing odd-numbered districts shall be elected at Conventions held in even-numbered years.*

"(ii) *District vice-presidents are not eligible for election to another term on the Council until two years have elapsed.*

"(iii) *Each district vice-president shall represent the interests of that district, carefully observe the conduct of intercollegiate athletics within the district and advance such suggestions and recommendations as are deemed advisable, and perform such other duties as the president may direct.*

"(2) **The Council shall consist of five representatives of Division I, five representatives of Division II, five representatives of Division III and five representatives of Division IV. One of the representatives from each division shall be a woman.**

"(3) *Twelve vice-presidents at large shall be elected by the Association at the annual Convention to serve for a term of four years. The terms of no more than three vice-presidents at large shall expire in any one year. Vice-presidents at large shall not be eligible for election to another term on the Council until two years have elapsed.*

"(3) **Each division shall be responsible for electing its representatives to serve on the NCAA Council at the division round-table meetings at the annual Convention.**

"(4) *Among the 20 vice-presidents, 10 shall represent Division I members, five shall represent Division II members, and five shall represent Division III members.*

"(4) Council members shall be elected for three-year terms. No person may serve on the Council for more than two terms.

"(5) The 20 vice-presidents Council members shall represent their respective divisions as members of **the Council subcommittees identified as Division I, Division II and, Division III and Division IV Steering Committees.**

[Subparagraphs (5)-(i) and (ii) unchanged.]

"(iii) For purposes of meetings conducted separately from regular meetings of the Council, each division steering committee may appoint additional members to serve on the committee subject to approval of the Council and limited to a number not exceeding the number of Council members on the steering committee. The Council shall adopt a formula for such appointments to assure adequate representation of the membership of each division.

"(iv) The Division I Steering Committee shall include six positions allocated for men, six allocated for women and eight unallocated. The Division II and Division III Steering Committees each shall include three positions allocated for men, three allocated for women and four unallocated.

"(iv) Each division shall be responsible for determining the size and composition of its steering committee, with the understanding that there be specific positions allocated for both men and women.

[Subparagraph (6) unchanged.]

"(7) The membership of a 'playing conference' (i.e., one which conducts a regular conference schedule or a postseason meet or tournament to determine its champion in football or basketball) may not be represented on the Council by more than one individual, excluding the president and secretary-treasurer, except that a woman serving on the Council may represent the same playing conference as a man serving on the Council."

Source: University of Arkansas, Fayetteville; Clemson University; University of Georgia; University of Nebraska, Lincoln; University of Oklahoma; Pennsylvania State University, and one other Division I member institution.

Intent: To provide for Division IV representation on the Council; to allow representatives on the Council to be selected by vote of the members of each division; to specify terms of Council members; to determine representation on division steering committees, and to eliminate the exception that permits a man and a woman from the same conference to serve on the Council.

Effective Date: Immediately.

Action: Moot due to defeat of No. 2.

NO. 21-1 NCAA COUNCIL

Constitution: Amend Proposal No. 21; Constitution 5-1-(a)-(2), pages 27-28, as follows:

[All divisions, common vote]

"(2) The Council shall consist of five representatives of Division I, five representatives of Division II, five representatives of Division III and five representatives of Division IV. At least one of the representatives from each division shall be a woman."

Source: University of Arkansas, Fayetteville; Clemson University; University of Georgia; University of Nebraska, Lincoln; University of Oklahoma; Pennsylvania State University, and one other Division I member institution.

Action: Moot due to defeat of No. 2.

NO. 22 EXECUTIVE COMMITTEE

Constitution: Amend Article 5, Section 2-(a)-(3), page 33, as follows:

[All divisions, common vote]

"(3) Among the ten members elected by the Council, six three shall represent Division I members, three shall represent Division IV members and four shall represent Division II and Division III members, with each of the latter divisions being represented by at least one member."

Source: University of Arkansas, Fayetteville; Clemson University; University of Georgia; University of Nebraska, Lincoln; University of Oklahoma; Pennsylvania State University, and one other Division I member institution.

Intent: To provide for Division IV representation on the Executive Committee.

Effective Date: Immediately.

Action: Moot due to defeat of No. 2.

NO. 23 DIVISION IV COMMITTEES

Bylaws: Amend Article 11 by adding new Section 4, page 124, renumbering subsequent sections, as follows:

[Common bylaw, all divisions, divided vote]

"Section 4. Division-Appointed Committees. Representation on Division IV committees shall be determined by the Division IV members as follows: Each conference classified as Division IV shall appoint one member to each Division IV committee. Those institutions not affiliated with a Division IV conference shall appoint a total of two members to represent them on each of the Division IV committees.

"(a) The Division IV Football Television Committee shall be responsible for the formulation and administration of the Division IV football television policy and program, subject to the approval of the Division IV membership.

"(b) The Postseason Football Committee shall be responsible for the certification of postseason football games, and its duties and functions are set forth in Bylaws 2-1 and 2-2."

Source: University of Arkansas, Fayetteville; Clemson University; University of Georgia; University of Nebraska, Lincoln; University of Oklahoma; Pennsylvania State University, and one other Division I member institution.

Intent: To provide an opportunity for Division IV members to select their representatives on specific committees and to establish a Division IV Football Television Committee and a Division IV Postseason Football Committee.

Effective Date: Immediately.

Action: Moot due to defeat of No. 2.

Appendix B

4th Special Convention

Voting Committee

Chair—Frank Windegger

District 1—Mary R. Barrett, Boston State College
 District 2—Sondra Norrell-Thomas, Howard University
 District 3—William M. Sangster, Georgia Institute of Technology
 District 4—Donald J. Mohr, Wright State University
 District 5—Ron Koperski, Bradley University
 District 6—Walter Reed, Jackson State University
 District 7—Edward L. Hanson, Montana State University
 District 8—Linda B. Dempsay, University of California, Irvine
 At Large—Billy M. Miller, Southwest Texas State University
 At Large—Frank Windegger, Texas Christian University

Credentials Committee

Chair—C. Donald Cook

Richard A. Clower, Western Maryland College
 C. Donald Cook, Fairfield University
 Judith Hirsch, California State University, Hayward

Parliamentarian

Alan J. Chapman, Rice University

Chair of Business Session

James Frank, Lincoln University (Missouri)

Chair of General Round Table

John L. Toner, University of Connecticut

1982 Convention

Hyatt Regency Hotel, Houston, Texas, January 11-13

Past Convention Sites

Convention	Year	Hotel and City
75th	1981	Fontainebleau Hilton, Miami Beach, Florida
74th	1980	Fairmont, New Orleans, Louisiana
73rd	1979	St. Francis, San Francisco, California
72nd	1978	Peachtree Plaza, Atlanta, Georgia
71st	1977	Fontainebleau, Miami Beach, Florida
70th	1976	Stouffer's Riverfront, St. Louis, Missouri
3rd Special	1976	Stouffer's Riverfront, St. Louis, Missouri
2nd Special	1975	Palmer House, Chicago, Illinois
69th	1975	Sheraton-Park, Washington, D.C.
68th	1974	St. Francis, San Francisco, California
1st Special	1973	Regency Hyatt House, Chicago, Illinois
67th	1973	Palmer House, Chicago, Illinois
66th	1972	Diplomat, Hollywood, Florida
65th	1971	Astroworld, Houston, Texas

